DOCUMENT RESUME

ED 410 158		SO 027 816

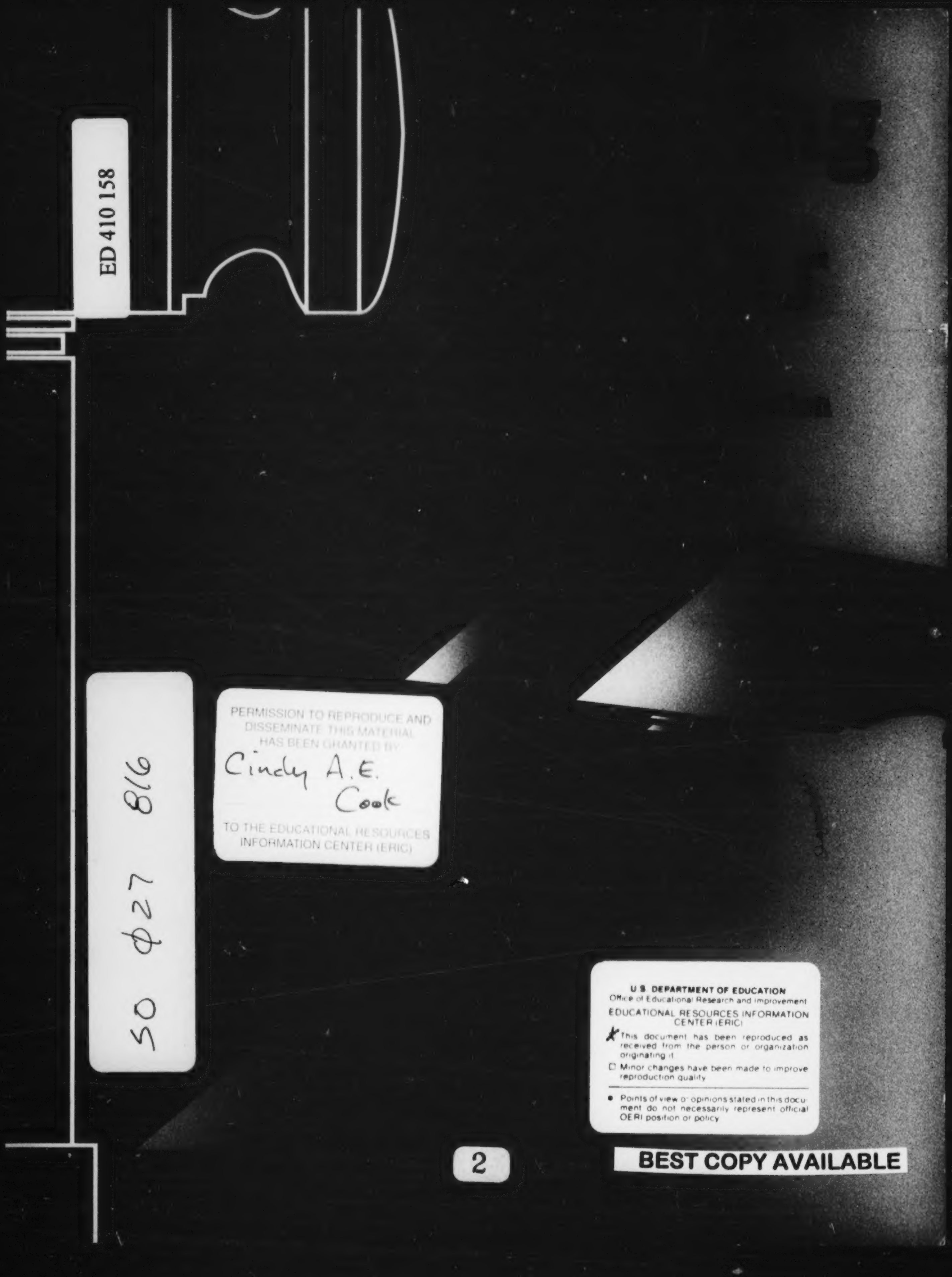
AUTHOR	Miller, Barbara; Singleton, Laurel
TITLE	Preparing Citizens: Linking Authentic Assessment and Instruction in Civic/Law-Related Education.
INSTITUTION	Social Science Education Consortium, Inc., Boulder, Colo.
SPONS AGENCY	Department of Education, Washington, DC.
REPORT NO	ISBN-0-89994-389-6
PUB DATE	97
NOTE	247p.
CONTRACT	S123A20077-93; S123A40090-94
AVAILABLE FROM	Social Science Education Consortium, P.O. Box 21270, Boulder, CO 80308-4270; telephone: (303) 492-8154 ($18.95, plus $5 shipping and handling).
PUB TYPE	Guides - Classroom - Teacher (052)
EDRS PRICE	MF01/PC10 Plus Postage.
DESCRIPTORS	*Citizenship; *Citizenship Education; *Civics; Evaluation; Instruction; *Law Related Education; Performance Based Assessment; Portfolios (Background Materials); Qualitative Research; Secondary Education; Social Studies
IDENTIFIERS	Authentic Assessment

ABSTRACT

This handbook assists educators in improving the links among civic education curriculum, instruction, and assessment. First-person accounts detailing teachers' thoughts present a basis for tracing the evolution of assessment tasks and rubrics for evaluation. Samples of student work are provided to stimulate thinking and discussion. Activities for staff development programs and for individual teachers are included. There are 11 chapters divided into three sections. Section 1, "Getting Started," contains the chapters: (1) "Defining Authenticity in Civic Education"; (2) "Defining Essential Learnings in Civic Education"; (3) "Designing an Assessment Task and Scoring Rubric"; and (4) "Using Student Work to Revise an Assessment and Instruction." Section 2, "Exploring Assessment Tasks," includes the chapters: (1) "Public Issues Discussion as an Authentic Assessment"; (2) "Assessing Socratic Seminars and Structured Academic Controversy"; (3) "Performance Assessment: Mock Trials, Moot Courts, Simulated Legislative Hearings, and Town Meetings"; (4) "Assessing Student Writing"; (5) "Assessing Student-Created Products or Projects"; and (6) "Portfolios." Section 3, "Looking Ahead," contains the chapter "Issues and Challenges." Teacher profiles are appended. (EH)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED 410 158



SO 027 816

PERMISSION TO REPRODUCE AND
DISSEMINATE THIS MATERIAL
HAS BEEN GRANTED BY

Cindy A.E.
Cook

TO THE EDUCATIONAL RESOURCES
INFORMATION CENTER (ERIC)

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION
CENTER (ERIC)

☒ This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

- Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

PREPARING CITIZENS:
LINKING AUTHENTIC ASSESSMENT AND INSTRUCTION IN CIVIC/LAW-RELATED EDUCATION

Barbara Miller and Laurel Singleton

Social Science Education Consortium

Boulder, Colorado

1997

ORDERING INFORMATION

Social Science Education Consortium
P.O. Box 21270
Boulder, CO 80308-4270

ISBN 0-89994-389-6

This work was written as part of the SSEC project, Authentic Assessment in Civic/Law-Related Education. The project was supported by the U.S. Department of Education under grants no. S123A20077-93 and S123A40090-94. Any opinions, findings, and conclusions or recommendations expressed herein are those of the project staff and do not necessarily reflect the views of the U.S. Department of Education.

Copyright © 1997 Social Science Education Consortium. All rights reserved.

Contents

Acknowledgments . . . v

Foreword . . . vii

Introduction . . . 1

Section I: Getting Started . . . 5

- 1: Defining Authenticity in Civic Education . . . 5
  - One Teacher's Journey: Using Assessment to Improve Instruction . . . 6
  - Developing Definitions of Authenticity . . . 10
  - Challenges, Questions, and Rewards . . . 13
- 2: Defining Essential Learnings in Civic Education . . . 17
  - The Office of Citizen . . . 18
  - National and State Standards . . . 21
  - A Case Study in Defining Essential Learnings . . . 23
  - A Process for Linking Outcomes, Instruction, and Assessment . . . 25
- 3: Designing an Assessment Task and Scoring Rubric . . . 31
  - Case Study: Turning Points for Equality . . . 31
  - Constructing an Authentic Assessment or Task . . . 35
  - Writing a Workable Scoring Rubric . . . 40
- 4: Using Student Work to Revise an Assessment and Instruction . . . 47
  - Case Study: A Teacher's Reflections . . . 52
  - Rubric Revision . . . 55

Section II: Exploring Assessment Tasks . . . 57

- 5: Public Issues Discussion as an Authentic Assessment . . . 57
  - Defining What Makes an Effective Discussion . . . 58
  - The Public Issues Approach . . . 61
  - Case Studies in Discussion of Public Issues . . . 67
  - A Case Study in Debate . . . 75
- 6: Assessing Socratic Seminars and Structured Academic Controversy . . . 81
  - Socratic Seminar . . . 81
  - Case Studies in Using Socratic Seminars . . . 83
  - Structured Academic Controversy . . . 90
  - A Dialogue Project—Structuring Interaction for Students with Learning Problems . 91
- 7: Performance Assessment: Mock Trials, Moot Courts, Simulated Legislative Hearings, and Town Meetings . . . 97
  - The Mock Trial . . . 100
  - Moot Court . . . 116
  - Simulated Legislative Hearings . . . 124
  - Town Meeting . . . 129

8: Assessing Student Writing 135
Essays 136
Legal Writing 145
Correspondence 152
Some Possible Pitfalls in Using Writing Assessments 158

9: Assessing Student-Created Products or Projects 163
Posters 164
Political Cartoons 166
Museum Displays 171
Multimedia Presentations 178
Pitfalls and Challenges of Product Assessments 181

10: Portfolios 185
Purposes of Portfolios 186
The Portfolio-Based Classroom 187
Case Study of a Portfolio Assessment 194
Implementation: What to Expect 198
A Word About Reflection 201
Pitfalls and Challenges in Using Portfolios 203

Section III: Looking Ahead 207

11: Issues and Challenges 207
Linking Grades to Assessments: When, If, and How 207
Reducing Bias 209
Finding Time for Authentic Assessment 211
Involving Students in Assessment 212
Becoming a Reflective Teacher 215
A Work in Progress 222

Appendix: Teacher Profiles 223

© SSEC

Acknowledgments

This book is the product of a four-year Department of Education-funded project in which Social Science Education Consortium (SSEC) staff worked with state LRE project directors and teachers from five states: Colorado, Illinois, Michigan, Oregon, and Washington. The book reflects the work of the participating teachers, as they tried to improve the link between instruction and assessment in their classrooms. We are deeply grateful to the state project directors and teachers for their efforts throughout this project:

Colorado

Jackie Johnson, Campus Middle School, Englewood
Ginny Jones, Skyline High School, Longmont
Kent Willmann, Longmont High School
Sally McElroy, Frederick Junior/Senior High School
Ivory Moore, Columbine High School, Littleton
John Zola, New Vista High School, Boulder

Illinois

Carolyn Pereira, Constitutional Rights Foundation-Chicago
Kathy Bell, Mundelein High School
Nancy Deese, Naperville North High School
Dan May, O'Fallon High School
Amy Swenson, Mundelein High School

Michigan

Linda Start, Center for Civic Education through Law
Greg Clevenger, Adams High School, Rochester
Paul Dain, Andover High School, Bloomfield Hills
Cynthia Grove, Troy High School
Ken Miller, Walled Lake Central High School
Deborah Teichman, Canton High School
Greg Weiman, North Muskegon High School

Oregon

Marilyn R. Cover, Classroom Law Project
Larry Black, Barlow High School, Gresham
Theresa Murray, Beaumont Middle School, Portland
Lisa Partridge, David Douglas High School, Portland
Carol Works, McNary High School, Salem

Washington

Margaret Fisher, Institute for Citizen Education in the Law
Wendy Ewbank, Madrona School, Edmonds
Rick Nagel, Franklin High School, Seattle
Jack Rousso, Roosevelt High School, Seattle
Katie Schultz, Frontier Junior High, Graham
Roger Westman, Wilson High School, Tacoma

Many other teachers who attended workshops in these states also helped us refine and improve the tasks and rubrics presented in this book. Although they are too numerous to list here, we appreciate their contributions.

7

Students of many of the teachers listed above have given us permission to reproduce samples of their work, for which we are especially thankful. Wherever possible, we have reproduced their work exactly as submitted. Even when reproducibility required that we retype work, we did so without editing their work.

We would also like to thank a number of consultants who worked with staff, project directors, and teachers to focus our thinking and enhance our work related to authenticity in curriculum, instruction, and assessment. These consultants include the following:

Roland Case, Simon Fraser University
W. Alan Davis, University of Colorado at Denver
Michael Fischer, Center for Civic Education
David Harris, Oakland County Schools, Michigan
Diana Hess, University of Washington
Jack Hoar, Center for Civic Education
Giselle O. Martin-Kniep, Learner-Centered Initiatives, Sea Cliff, NewYork
Fred Newmann, University of Wisconsin-Madison
Mike Pezone, Russell Sage Junior High School, Queens, New York
Steve Schuman, Federal Way School District, Washington
Alan Singer, Hofstra University
Chuck Staneart, Orange County Office of Education, Costa Mesa, California
Sam Weinberg, University of Washington

Finally, we would like to thank Carla Stonbraker, of the Aurora, Colorado, Public Schools, and Catherine McDonald, formerly of RMC Research Associates, for their assistance in preparing the draft of this handbook; Sylvia Thomas for secretarial support throughout the project; and Cindy Cook for production of the final manuscript.

Barbara Miller, Project Director
Laurel Singleton, Project Associate

© SSEC

Foreword

The term *authentic assessment* is layered with many connotations, not all of which are positive. Schools are not, by design, conducive to authentic learning. Some of the obstacles that make authentic learning subject to strong reactions include short and disjointed program schedules, a curriculum that is ever-growing sometimes in disparate directions, pressures stemming from state and national accountability systems that rely on narrowly-defined assessment targets, and our inability to stop the calendar and think about what is essential. Yet those of us who have ventured into authentic learning and assessment fully recognize that the payoffs often outweigh the costs. Through authentic learning and assessment, teachers become more purposeful, students become more engaged and can see the relationship between school learning and real-world demands, and, perhaps most important, quality work is produced.

This book is about teachers' solid attempts at engaging in authentic learning and assessment. It is filled with clear and significant examples of authenticity in curriculum and assessment. However, its greatest value as a text lies if we characterize it as a collection of teachers' journeys into their thinking about how to make learning richer and more purposeful. In fact, even though many of the sample performance tasks and scoring rubrics are useful as springboards for design, what is most impressive is the invitation that the book provides, through its reflection exercises and stories of work-in-progress, for the reader to consider the possibilities that authentic experiences can provide teachers and students.

Unfortunately, as teachers, we have tremendous competition for students' attention. Furthermore, unlike the audience of a play or the visitors to a place of interest, our students are a captive audience that doesn't always want to be there. Just as our lives as teachers feel rather disjointed given the rapid rhythm of our classes, pullouts, testing demands, and out-of-class but in-building demands, among other reasons, so are the lives of our students. They navigate through our classes replacing one hat with another, switching from subject to subject with few if any transitions, quickly needing to adapt to different philosophies, expectations, styles, and approaches. So much of what they experience is disjointed, de-contextualized, and perhaps even irrelevant to their lives, needs, and growing sense-of-selves. It is rather amazing how, in light of all this, significant teaching and learning can occur.

Authentic assessment is no panacea. It won't solve everything that is wrong with curriculum and assessment, nor is it likely to replace the need for targeted teaching and assessment of specific skills and content. On the other hand, it is a worthy addition to the experiences teachers and students should have. It is about purposeful teaching towards experiences that are rigorous, plausible and real, and in which the student is an active learner and producer of knowledge and skills that are framed around meaningful contexts. Authentic assessment is a necessity when and if we want students to do more than recall or apply isolated facts; understand the interent complexity and ill-defined nature of life's problems and challenges; and see themselves as producers of worthy knowledge and work.

If any of the preceding reasons for authentic learning are important to you, consider this book an invitation to imagine and delve into its possibilities.

Giselle O. Martin-Kniep
Learner-Centered Initiatives

© SSEC

Introduction

What would you picture if you were asked to imagine the ideal high school graduate? What would you picture if asked to imagine the ideal citizen? Surely you would not picture someone who merely earned good grades, did well on standardized achievement tests, or could recite many discrete bits of information. Instead, you would probably picture someone who had a passion for excellence, who habitually paid attention to the quality of his or her work, and whose work habits produced, over time, high-quality products and performances. Your image would also include someone with the ability, indeed the habits of mind, to analyze, interpret, synthesize, and evaluate facts and ideas in a thoughtful manner. Moreover, you would want the high school graduate—and the citizen—to habitually, thoughtfully, and reflectively apply knowledge rather than simply being able to recite bodies of information. Finally, your ideal graduate/citizen would likely show, through words and action, such democratic values as justice, liberty, and equality.

We believe that in order to help young people achieve the ideal described above, teachers must work to improve the link between civic education curriculum, instruction, and assessment. The purpose of this handbook is to assist educators in that task. The resource is directed to those educators who are looking for ways to link the content of their courses (skills and knowledge) to the broader goals of preparing youth to participate in a democratic society. It is part of an effort to support teachers in inquiring deeply into the teaching-learning process in the context of civic education and in making assessment a more productive part of the teaching-learning process.

Reflection/Exercise

What is your image of the ideal high school graduate/citizen? What would you want this young adult to know, be able to do, and value as he/she enters adult life in your community? List your responses. Then consider how you would know if a student has attained this knowledge, skills, and attitudes? How could you assess the extent to which a student met your "ideal" standard?

Role of This Handbook in Improving Assessment

This handbook is based on several beliefs:

- Law-related education (LRE) is among the best programs of curriculum and instruction to promote citizenship and reflective thinking—learning outcomes stressed in many educational reform reports and in the emerging national standards.

© SSEC

- Current assessment practices in LRE/civic education are inadequate to assess student achievement in LRE, particularly in terms of higher order learning outcomes. Models of authentic assessment in law-related education are needed.
- Unless methods and materials are developed and used to authentically assess such learning outcomes, civic education may be in danger of being lost within the current educational climate.

This handbook is the product of a Social Science Education Consortium (SSEC) project funded by the U.S. Department of Education. As an initial step in that project, the SSEC in 1992 conducted a survey of 125 teachers of law-related education regarding their needs and interests related to assessment. Teachers were asked to describe their current assessment practice, submit samples, and present concerns. The results indicated that teachers are very receptive to developing assessments that match their instructional strategies and the goals of civic education. They are quick to cite the shortcomings of standardized tests—particularly for measuring critical thinking and reasoning skills, which they see at the heart of citizen education. Teachers reported that they rarely use objective tests provided within curriculum packages; they do construct some objective tests. They reported using performance assessments and essay exams regularly. They are interested in formalizing and improving their current practice.

A close analysis of the survey responses and the samples submitted reveals, however, that the performance assessment that is taking place can best be described as anecdotal and informal. Teachers are likely to judge student performance through observation without defining clear, measurable goals or specifying criteria to students in advance. Thus, while teachers are interested in trying new methods of assessment, the work they are doing falls short of generally accepted standards for authentic performance assessment.

Transformation of assessment practices is a complex task. Civic education (like democracy) is a messy undertaking, and so is assessment. The important questions are difficult to reduce to multiple-choice responses. While multiple-choice tests can help us with some of the things we want to know, we need assessment strategies that capture the complexity of the concepts, reasoning skills, and depth of understanding that is central to good citizenship. We need tests that let us know about levels of thinking, and about interaction among individuals and groups. We need assessment tools that are as good as our best instruction.

The materials developed through this project have resulted from teacher-to-teacher discussion and fieldtesting of assessment tools. Each assessment strategy has been reconsidered, revised, and adapted for classroom use. Our experience indicates that teachers cannot simply review sample assessments and adopt their favorite ones for direct use in their classrooms. Because of the complexity of the assessment process, assessment tasks and scoring guides must be adapted to fit within

© SSEC

the context of the individual teacher's classroom. This handbook therefore does not present answers but is designed to encourage an exchange of ideas. Models/processes in this handbook are presented not for adoption but rather for adaptation by teachers for use in their classrooms.

This handbook is not designed for those who are looking at assessments for large-scale use or as district or state accountability tools. The material in this handbook is designed for supposedly "low-stakes" uses (diagnosing need, help in redoing assignments, guidance in successfully completing assignments, assigning course grades) rather than high-stakes purposes (determining placement in courses, promotion, college admissions).

This handbook is also presented with the recognition that the current educational environment calls for standard setting. National and state reform efforts have produced documents that can help teachers and communities define what is important. High standards alone, however, will not improve student performance. We must also reevaluate instructional and assessment strategies, a process in which this handbook can play a part. We hope that teachers will find practical information here that will help them improve student learning by engaging in a process of self-reflection, self-critique, self-correction, and self-renewal.

Using the Handbook

This handbook is based on the experiences of several classroom teachers in five states—Colorado, Illinois, Michigan, Oregon, and Washington. The teacher participants in the project expressed an interest in working with the directors of their state law projects and assessment experts to develop new assessment strategies for use in their classrooms. The teachers have worked in very different contexts—middle school and high school, inner city and affluent suburb—and teach a range of content (U.S. history in middle school and high school, law elective courses in a magnet school, A.P. government, geography, and civics and American Problems). In spite of the differences, they shared a common goal—to broaden their assessment practices to capture a wider range of the skills and knowledge that they believe will be useful both academically and in the world beyond school.

Each of the participating teachers has had an opportunity to collaborate with LRE and assessment experts in writing or adapting assessments for use in his/her classroom. None of the participants has thrown out traditional multiple-choice and short-answer tests. All report that they are more self-conscious about their practice, including defining their instructional goals. Many report that they have changed their testing practice in significant ways—they share performance criteria with students, they have higher expectations for students, they offer clearer definitions about what quality work looks like and, as a result, students are more engaged in preparing for tests. Their stories inform the issues discussed in this handbook. Their stories are offered not as answers for your classroom or school district but rather as a departure point for reflecting on your own practice and developing assessments that get at what it is that you want to accomplish in preparing students for citizenship. (See the appendix for background on the contexts in which these teachers work.)

The handbook is organized so that individual teachers can consider their current classroom practice and adapt some of the ideas presented to their experience. The handbook also encourages teacher-to-teacher conversation about individual approaches to determining what students should be able to do as a result of completing a study of particular content and skills, setting standards, and assigning grades. Thus, we hope the handbook will also serve as a useful tool in workshops focused on social studies instruction and assessment.

We do not expect that readers will necessarily start at the beginning of the handbook and work their way through to the end. However, those that do follow this process will find that the first two chapters deal with important foundational questions: What do we mean when we say something is *authentic*? and What are the essential learnings in civic education, those outcomes that are most important to assess? The remaining chapters in the "Getting Started" section, Chapters 3 and 4, take readers through the process of creating and revising assessment tasks and scoring rubrics. The six chapters in Section II focus on specific assessment tasks useful in law-related/civic education, including discussion; such performance tasks as mock trials, moot courts, and simulated legislative hearings; writing; student-created products or projects; and portfolios. The final one-chapter section examines issues and challenges that teachers and our project face in making the change to more authentic instruction and assessment.

Organization of Handbook

Section I: Getting Started

- Chapters 1 and 2 look at important questions underlying a change to authentic assessment.
- Chapters 3 and 4 focus on developing and revising assessment tasks and scoring rubrics.

Section II: Exploring Assessment Tasks

- Chapters 5 through 10 discuss specific types of assessment tasks.

Section III: Looking Ahead

- Chapter 11 examines challenges and issues.

Section I: Getting Started

Chapter 1: Defining Authenticity in Civic Education

Authentic assessment...

- is assessment that has a close relationship to the learning desired and that is exhibited in ways that have meaning to the student—John Zola, New Vista High School, Boulder, Colorado.
- is a method for determining what a person knows and is able to do in reacting to a practical, real-life situation. Determining a suitable task to demonstrate knowledge and skill is crucial in using authentic assessment. For a teacher, knowing what you're expecting your students to do determines the type of instruction you provide—Dan May, O'Fallon High School, O'Fallon, Illinois.
- is the evaluation of learning through real-world type experiences—Amy Swenson, Fridley High School, Fridley, Minnesota.
- involves giving students tasks where they demonstrate skills needed in "real life." These skills can include discussion, collaboration in groups, or any other skills successful citizens need to participate in life—Lisa Partridge, David Douglas High School, Portland, Oregon.
- is an evaluative measure (performance task) that truly measures my outcomes for students and is tied to "real world" processes and skills beyond the classroom. It is a reliable, repeatable tool that incorporates higher level thinking skills and the essentials of the discipline—Wendy Ewbank, Madrona School, Edmonds, Washington.

These definitions of authentic assessment were given by five teachers in the SSEC authentic assessment project. While the definitions share some features, they are also different in their degree of elaboration, emphasis on skills versus skills and content, and focus on links to outcomes. These variations reflect what we have learned about defining authentic assessment—each teacher does, in fact, define authentic assessment differently and those individual definitions reflect individual values and experiences.

Because we believe there can be no substitute for doing your own investigation, we are not supplying a single definition of *authentic assessment*. Instead, we provide a case study of one teacher's initial efforts to assess student learning more authentically and draw upon the writing of some experts in the field to help teachers begin the process of defininining authenticity for themselves.

One Teacher's Journey: Using Assessment to Improve Instruction

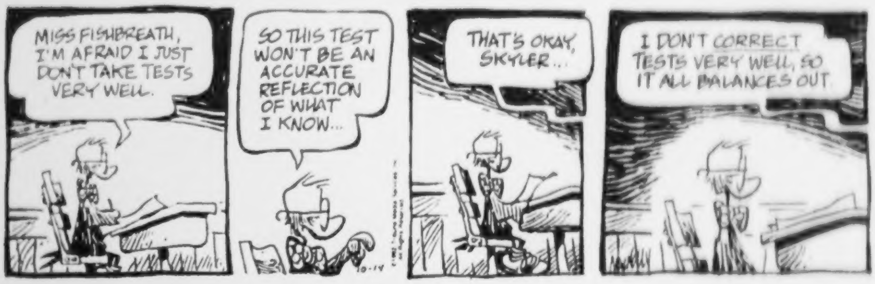
Kathy Bell, teacher and division head at Mundelein High School in suburban Chicago, has taken time to learn more about authentic assessment. In the following essay (developed for the Constitutional Rights Foundation newsletter), Kathy presents a convincing case for focusing on assessment strategies as a means for improving instruction and achievement. She articulates a reaction to the grading/assessment process that may strike a chord with many teachers. As you read Kathy's story, think about how the relationship between assessment and instruction changed in her classroom, as well as how the role of the student in the assessment process changed. What processes were critical in helping Kathy make these changes?

*Sitting at my kitchen table one beautiful October Sunday afternoon, I looked up from a huge stack of papers. Through the sliding glass doors, I could see the leaves just beginning to fall. As I put down my red pen, I realized that I had just read and graded over 700 papers in the first three weeks of my Introduction to Law class (three two-page case study analyses for each of my 120 students). With regret, I admitted that I didn't have a clue as to what, if anything, my students had learned. Being honest with myself, I admitted that I hated grading all those papers; and more distressing, my students didn't seem to care "two hoots" for my hand-written comments and the terrific advice. I observed with both sadness and mounting frustration that when class ended, much of my hard work landed in the recycle bin. And on the next case study, they proceeded to write more of the same *&^#%.*

> ***"... With regret, I admitted that I didn't have a clue as to what, if anything, my students had learned.... "***

Like many teachers who want to know that their hard work really makes a difference, I wondered, "What am I doing wrong?" I also contemplated blaming my students for ignoring my advice—"Can I get revenge for those papers in the recycle bin?" I didn't need to grade papers that no one read.

I needed a new plan. How could I get my students to actually learn? To take the responsibility for their own learning? To grow? How could I


MISS FISHBREATH, I'M AFRAID I JUST DON'T TAKE TESTS VERY WELL.
SO THIS TEST WON'T BE AN ACCURATE REFLECTION OF WHAT I KNOW...
THAT'S OKAY, SKYLER...
I DON'T CORRECT TESTS VERY WELL, SO IT ALL BALANCES OUT

Reprinted by permission. Tribune Media Services.

measure that growth and remain sane? How would I know if they were really learning? Could students be taught to measure their own growth?

For starters, I had to face the fact that I was the only one who was really learning? Why? **Because I made all the important decisions.** My students were on the sidelines in this learning process except when they were "doing." They were active learners in the mock trials, Police Patrol, and other simulations. But they never reflected on what they had learned. I never really assessed what they learned based on what I intended for them to learn. Why? Because I never really thought about the linkage between what I taught (content), how I taught it (instruction), and how I evaluated what I taught. I equated assessment with evaluation. I also made all the important decisions in my classroom and rarely asked students to set goals, reflect on their own learning, assess where they were in relation to standards and expectations.

Frustration and curiosity led me to ask questions. Were there alternatives? What was authentic assessment? How could it help me?

As I have experimented with authentic and alternative assessments over the past four years, I have continually tried to ~~more~~ clearly define what I want my students to know and be able to do. I ask myself questions. What are the essential learnings? What can I reasonably expect myself and my students to accomplish in the time we have together? Can I do "more with less"? What performances will authenticate real learning? How should these performances be evaluated?

These dilemmas are the challenges teachers face when they develop authentic assesement tasks, rubrics, and standards for student performance. At first, the idea of authentic assessment sounds like nirvana. Write a rubric, share it with the students and they will perform better. If only it were that easy. Designing authentic tasks that really measure learning is far from sexy. And there is no "one size fits all" rubric or easy answers to the complex questions that arise... even the experts disagree!

In my classes, authentic assessment, reflection, and attention to linking content outcomes, instructional strategies, and assessment have produced better quality work from my students. I offer this excerpt from a recent test in my Criminal Law class as evidence. The student was asked to respond as a police officer to a memo from the Chief of Police. The test was designed to measure understanding at this point in the course of such legal concepts as probable cause, arrest, the Fourth Amendment, the Exclusionary Rule, interrogations, the Miranda warnings, confessions, and general police conduct. The excerpt included here was written during class and typed as the student wrote it. Copies of possible cases for the test, a "think aloud" of how a response could be constructed, and a scoring rubric were made available to students before the day of the test. Students had practiced police scenarios in a simulation, Police Patrol, as well as discussed cases from their text.

Students did not know until the day of the test which two cases they would be expected to review.

After citing the facts of the case, Mike wrote,

> The legal issue in this case is whether his statement... if it can be used as evidence in the trial. The question is, is this evidence support the question should Williams be guilty of the murder of a 10 year old girl. The other issue is if his arrest was reasonable or unreasonable? Witness reported seeing enough that they (police) had reason to believe that Williams has carrying a dead body. Should the witness come forward, it gives enough probable cause to arrest him but they need to find some evidence to hold that arrest. He was advised of his Miranda rights and thus the police gave him due process. None of his rights were violated. After being advised of his rights and spoke with his attorney who told him to keep quiet. On the way to jail his confession to the whereabouts to the body was totally voluntary. The police weren't asking or beating a confession out of him. The police just said they wish they knew where the body was. Him saying that shows as evidence that he definitely was linked to the crime and he knows where the body was since he committed the crime. This evidence was given to the police after being advised of his rights and after he spoke with his attorney. His confession was totally voluntary so therefore it can be used in court.
>
> The evidence of his confession and the testimony of the witness is enough to pursue this case. Since we already have a good lead into solving the crime, I recommend we go forward. Sincerely, Mike Justman, officer.

"Using student work to revise my rubrics and tasks as well as refine my instruction has and continues to be a source of inspiration and evidence that I am helping students learn and grow."

Mike is demonstrating his ability to use content he has learned to determine meaning in a situation common to most police officers. Mike's response indicates that he has some knowledge, that he can apply it, and most importantly, Mike and I can discuss where he can work to improve based on the rubric score and my comments. I think that this excerpt tells me more about what he knows and is able to do than if he had marked "C" on a scantron.

As I continue to investigate authentic assessment, I continue to ask important questions: What counts as evidence that the essential learnings are really taking place? How do I balance content and process? How can I communicate to my students more clearly? to parents? What does it look and sound like when a student has acquired a "deep understanding" of the Fourth Amendment? Do I grade growth? If so, how?

At this point in my journey into authentic assessment, I communicate the criteria and expectations for quality work "up front" better than ever. I often have the rubric and teach it to my students. I have examplars or anchor papers and videotape that I use as models. Using student work to revise my rubrics and tasks as well as refine my instruction has and *continues to be a source of inspiration and evidence that I am helping students learn and grow. That is the good news.*

Students play an important role, too. Periodically in my law class, students reflect on their work, write letters to their parents or significant others about their progress, and set goals for upcoming tasks. They keep these documents in their class briefcase and refer to them as key points in the course. That is also good news.

Student Justin Mills wrote the following in his reflection letter last semester:

> *...History shows us that nothing gets done if you don't work together, so in order to make a positive contribution to society, I will need to work together with others....I feel that I am a better citizen because I know more about the legal system and how the Supreme Court works. In a little over a year, I am going to be able to vote. By knowing more about the law, I can look at what I think needs to be done about things such as crime, and vote for the person whom I feel will be the best to get that done. Finally, I realize that I am part of the future of this nation, and ... I have power. If more people would get that attitude and try to make a difference, the world would be a better place.*

In my analysis, Justin recognizes that he has an obligation to himself and others. He understands that, as a citizen, he must be both willing and able to exercise his civic options for the greater good. He has gained disciplinary knowledge, he has had opportunities in class to practice, and he is affirming that his school work has meaning beyond "Friday's test."

I do, however, fantasize that my next issue of Phi Delta Kappan *will have a cover article entitled, "Guess What's Back?" In my fantasy, I quickly skim the table of contents, hurriedly flip to the appropriate page, and read a well-researched article by some famous educator who states unequivocally that essential learnings ought and can be authentically assessed using...a multiple choice test scored by the scantron machine! Yes!!!!*

But...as my fantasy subsides, I realize that I would be back to the very dilemma that prompted me to choose this "less traveled" road in the first place. I wanted to know what my students really knew and were able to do. The scantron results and the 700 case studies I graded without any "up front" outcomes or performance standards told me only what my student did **not** *know.*

My continuing efforts, collaboration with others, constructive criticism and praise from trusted colleagues who value my work as well as the evidence I see in class and read in Mike's test and Justin's reflection letter, lend credence to my beliefs that my efforts to model authentic

© SSEC

teaching and authentic assessment have moved my students in the directions I think they need to go to become effective citizens.

Reflection/Exercise

On a piece of paper, make two columns headed "Authentic" and "Assessment." Brainstorm a list of words associated with each of these terms. Select the most powerful words from each list and use them to create your own definition of *authentic assessment*.

Developing Definitions of Authenticity

The term *authentic* can be applied to nearly any aspect of a student's school experience. The teacher's goal may be to produce authentic achievement in a curriculum area, such as civic education. Authentic instruction is the means of achieving this goal; authentic assessment is a way to determine whether the goal is being met and what can be done to improve performance. While the multiple uses of the term illustrate the close connections between instruction and assessment, they can also make arriving at a definition difficult.

Fred Newmann and Gary Wehlage (1993) provide a starting point for defining authenticity. At the Center on Organization and Restructuring of Schools, which Newmann directs, the term *authentic* is used to "distinguish between achievement that is significant and meaningful and that which is trivial and useless." The criteria for judging authenticity are:

- Students construct meaning and produce knowledge.
- Students use disciplined inquiry to construct meaning.
- Students aim their work toward production of discourse, products, and performances that have value or meaning beyond success in school.

Let's examine each of these criteria in turn, beginning with construction of knowledge. Many traditional assessment tasks simply ask students to reproduce knowledge that has been presented to them—to name the branches of government and their functions, to list three differences between a totalitarian government and a democracy, to match the names of Supreme Court cases with capsule descriptions of the rulings, and so on. Newmann, Secada, and Wehlage (1995) point out, however, that these tasks do not resemble the ways in which successful adults use knowledge. While students need foundational knowledge, authentic work requires that they do more than simply reproduce that knowledge;

© SSEC

they must, instead, interpret, evaluate, analyze, synthesize, or organize the information to address a particular problem, issue, or concept.

The second criterion identified by Newmann and Wehlage is the use of disciplined inquiry. According to Newmann, Secada, and Wehlage (1995), disciplined inquiry has three aspects:

- Use of a prior knowledge base.
- Striving for in-depth understanding rather than superficial awareness.
- Expression of conclusions through elaborated communication.

Again, these aspects of authentic work contrast with much traditional school work, in which students are asked to briefly demonstrate superficial knowledge on a vast array of topics. Here, the knowledge base students are expected to draw on includes not only factual information, but also "ideas, theories, or perspectives central to an academic or professional discipline," as well as the "methods of inquiry, research, or communication characteristic" of the discipline. In addition, for work to be considered authentic, it must be communicated in a way that reflects complexity and in-depth understanding, using forms of communication that are applicable in the adult world.

Finally, to be authentic, work must have value beyond the school context. While much traditional school work serves only to demonstrate the student's competence to the teacher, authentic work has broader value. Such work is connected to problems or issues in the world beyond the classroom. Further, students create products or performances that address an audience beyond the teacher or the classroom.

Achieving these criteria may appear to be a daunting task. In moving toward more authentic teaching and assessment, it is helpful not to think of learning experiences or assessments as either authentic or "inauthentic," but to analyze where these aspects of classroom work fall along a series of continua representing the criteria for authenticity.

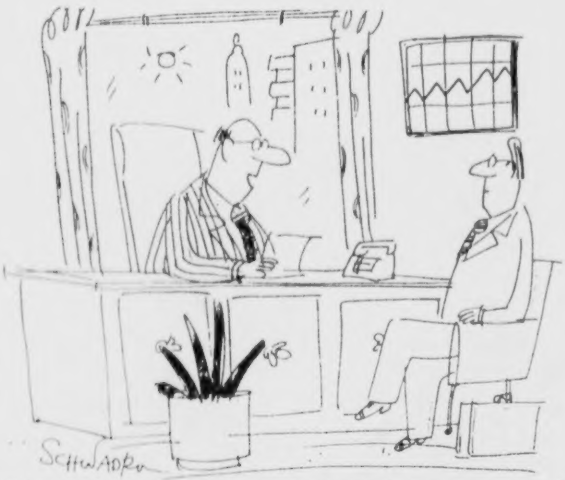
While this framework does not necessarily negate the need for traditional or less authentic instruction including memorization, repetitive practice, or silent study, it is based on previous research in which teaching for thinking, problem solving, and understanding has been shown to have positive effects on student achievement.

© SSEC

Reflection/Exercise

Think of your most successful civic education lesson. Did the lesson help students to become the "ideal citizen" you described earlier? To what extent did this lesson result in student products and/or performances? To what extent did the work that students produce have value beyond school? What type of discipline-based inquiry was required to complete the task? How was the student work connected to real issues? How did the students demonstrate depth of knowledge? reasoning ability? Based on this analysis, to what extent did the lesson represent authentic instruction?

Kathy Bell's story and the discussion of authentic work make clear the close connection between curriculum, instruction, and assessment. Thinking about more authentic practice in any one of these areas necessarily involves thinking about the others as well. Newmann and Wehlage's criteria also help identify some key characteristics of authentic assessment: a focus on essential learning and the use of knowledge and skills in a "real-world" context. Other characteristics become clear through Kathy's story: changed roles for students and teachers in the assessment process. Teachers must identify clearly their criteria for high quality work and communicate those standards to students. They also become more involved in coaching, providing feedback to help students meet those criteria. Students meanwhile take a more active role. They are apprised of standards and assessment tasks prior to instruction and are encouraged to reflect on their own performance. Students in classrooms where authentic assessment is practiced will internalize the standards and routinely be reflective about their work.



'AFTER 20 YEARS OF SCHOOLING, YOUR APTITUDE TEST SHOWS THAT YOU'RE SKILLED AT JUST ONE THING -- TAKING TESTS.'

Reprinted by permission: Harley Schwadron.

© SSEC

An example can serve to illustrate what authentic instruction and achievement might look like in a civic/law-related education class. In a unit on the role of interest groups in forming public policy, students are assigned to five small groups; each group chooses a current public policy issue of concern to its members to research. By reading and conducting interviews, group members identify the various views on their issue, the arguments for and against each policy position, the groups supporting each position, and the strategies the groups use to influence public policy. Group members, either individually or collectively, determine the policy choice they support and prepare a strategy a group might use to advocate that option. To conclude the unit, students complete an assessment that involves writing letters to public officials advocating the positions they have taken. To successfully complete the unit, students must clearly construct meaning and produce knowledge, use disciplined inquiry to construct meaning, and create products with value beyond schools.

A law-related unit on individual rights provides another example. The teacher uses case study analysis as the primary method of instruction. Students read case studies, participate in moot court simulations, and discuss the development of constitutional principles over time. The assessment for the unit involves a scored discussion in which students examine a current issue related to individual rights (one the group has previously selected from the newspaper); each student must take a position on the issue, arguing both for and against the position, and draw at least one historical parallel. Again, the criteria for authenticity are clearly met in this unit, which involves in-depth study, the use of higher order thinking, and the production of the kind of discourse critical to citizenship in a democracy.

Like most civic/law-related educators, you can probably cite numerous examples of what you believe are authentic instruction in your own classroom. But, if you are like most teachers, you are less sure of whether your assessments are aligned with this rich instruction and/or measuring the most important aspects of student achievement. Teachers who are working to provide instruction that is authentic are seeking assessment techniques that reveal to students how well they are doing on tasks that parallel those they face in life beyond school.

Challenges, Questions, and Rewards

Teachers often begin their work on authentic assessment with a number of questions on their minds. Many times, their thinking on these questions evolves slowly as they gain more experience with this type of assessment.

These questions include:

© SSEC

- Is authentic assessment more subjective than traditional testing?
- How does a focus on assessment affect student learning?
- What are the advantages and disadvantages of involving students as evaluators?
- How does authentic assessment link with grading?
- How can teachers find the time to develop explicit standards for performance?
- Is authentic assessment equitable for disabled and/or culturally different students?
- In what circumstances is group evaluation appropriate?

Many of these questions, which you may share, are dealt with in various chapters throughout this book, as well as in the concluding chapter on issues and challenges. Participants in the SSEC project reminded us, however, that an emphasis only on issues and challenges distracts teachers from the joys and benefits of working to assess student achievement more authentically. Thus, we conclude this chapter with comments on joys and benefits from the teachers whose definitions of *authentic assessment* opened the chapter:

"The joys or benefits do not come from creating an outstanding assessment, but rather from cultivating outstanding learning."

- The joys or benefits do not come from creating an outstanding assessment, but rather from cultivating outstanding learning. When you carefully examine authentic teaching, learning is likely to improve. Students must show that they can take responsibility for their learning—Amy Swenson.
- Joys and benefits include better student work and more student investment in learning, a greater sense that I (as a teacher) have created worthwhile and engaging learning opportunities, generally fewer arguments over "grades," and generally easier evaluation of student work because I've thought about the criteria—John Zola.
- When authentic assessments are used, a teacher is more likely to get the results sought since the instruction is linked to a specific behavior. Students don't have to guess what they need to know or do at the end of an instructional unit. Since they've been headed in a certain direction from the outset, they have a clearer idea of what they must know and be able to do so they can prepare themselves to do it. Both teacher and students understand that learning to do a task successfully requires learning how to do the component parts of a task. We begin to understand how the performance on the assessment is the sum of the instruction leading up to it—Dan May.
- The biggest benefit of this work is that it gives students a clear target to shoot for in their finished product—Lisa Partridge.
- No student this year has whined, "Why are we doing this?" They see the relevance of what they're doing and don't feel

© SSEC

> it's "busy work." The tasks are engaging, challenging, and fun. Students whose learning styles don't mesh with traditional tests are better able to succeed. I feel confident that they're leaving me prepared not just for high school but for life as a thoughtful citizen. "Teaching to the test" is now a positive reality, because that "test" is a measure of what I really value. Using authentic assessment makes me a better teacher and encourages kids to be better students—Wendy Ewbank.

Remember as you start your efforts to assess more authentically, you do not have to make sweeping changes. Even though we suggest thinking broadly about your purposes in Chapter 2, we recognize that change in curriculum and assessment can often be managed best when it is gradual. You do not have to begin by revamping an entire course; you can begin by constructing one well-thought-out unit with carefully designed assessments. However you decide to begin, you will need to examine and articulate your purposes for teaching and outcomes for student learning. Chapter 2 is intended to help you do exactly that.

Reflection/Exercise

What concerns do you have about embarking on an effort to assess student learning authentically? In a journal or notebook, write a few paragraphs about these concerns. Then think of some ways that you could use your classroom as a laboratory for studying the questions that you have. For example, if you question whether authentic assessments are indeed more "subjective" than traditional tests, you might plan to use both types of assessments for one or more units and compare the results.

References

Bell, Kathy, "Moving from Traditional Tests to Authentic Assessment in an LRE Class: One Teacher's Journey," *The Trainer's Times* 4, no. 1 (Spring 1994).

"Common Understandings for Complex Reform," *Education Week* (October 28, 1992), p. 28.

Newmann, Fred M., and Gary G. Wehlage, "Five Standards of Authentic Instruction," *Educational Leadership* 50, no. 7 (April 1993), pp. 8-12.

Newmann, Fred M., Walter C. Secada, and Gary G. Wehlage, *A Guide to Authentic Instruction and Assessment: Vision, Standards and Scoring* (Madison, WI: Wisconsin Center for Educational Research, 1995).

Chapter 2: Defining Essential Learnings in Civic Education

Within the movement to define what it is that students should know and be able to do at the end of 13 years of schooling, the term citizenship has been used more often than any other as a rationale for a range of content standards and intervention programs. The term is particularly appealing to policymakers and employers, but also widely used by academics, journalists, and critics from both ends of the political spectrum. Yet the term remains vague and at times contentious.

While the whole of society teaches lessons of citizenship directly and indirectly, special responsibility rests with those who teach courses and units of study that help students to consider the role of government and law, to look at public policy decisions, and to apply the skills of reading, writing, and quantifying to issues faced by citizens. These teachers must carefully consider the essential civic learning they will teach and assess, either individually or in the context of a larger effort such as the standards movement.

Why, in a book on assessment, are we urging that teachers undertake the difficult task of being explicit about their essential purposes or ourcomes? Because being explicit about our most important purposes—what matters to us—is critical in making assessment more authentic. Herman, Aschbacher, and Winters convincingly explain why this is so:

> Good assessment demands that you know and are able to articulate your major instructional goals. These determine what aspects of performance you will want to know about. What do you want your students to be able to accomplish in a unit, in a course, in a discipline, or across disciplines? What should your instructional program add up to? What should students be able to do at the completion of a unit, a course, or a year of study that they were not able to do before? What critical areas of student development do you want to influence?
>
> The answers to these questions define your classroom priorities and represent the primary targets of your instructional activities. These same priorities should also ground the assessment tasks you require of students. Such a fit contributes to a fair assessment—students have the opportunity to acquire the knowledge and skills you are assess-

© SSEC

ing—and contributes to a *meaningful* assessment task that reinforces the skills and accomplishments you deem most important (Herman, Aschbacher, and Winters 1992).

In this chapter, we begin by looking at some useful ways to start defining your goals or purposes. Two avenues that we discuss are (1) thinking through what students need to know and be able to do before they assume the "office of citizen" and (2) using national or state standards documents. We then describe "next steps" when you have successfully identified those learnings that are essential to your course.

Reflection/Exercise

Figure 2.1 presents a sample test used for people seeking to become naturalized citizens of the United States. The Immigration and Naturalization Service has asked you to propose an alternative to the test. Try to design an authentic assessment that would determine whether prospective U.S. citizens hold the knowledge, skills, and dispositions you think the model citizen should have. Be prepared to explain why your assessment is more authentic than the test in Figure 2.1.

The Office of Citizen

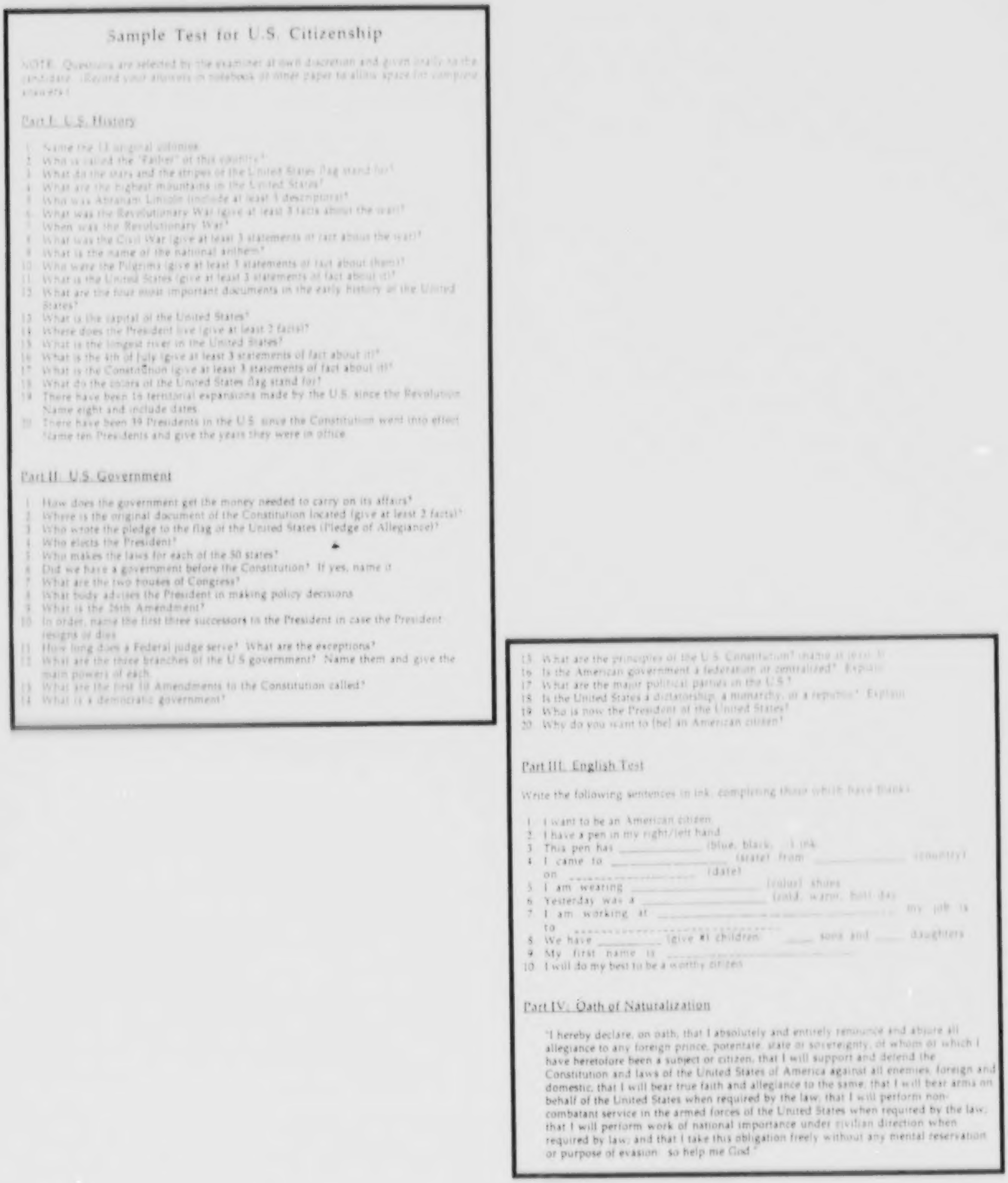
One way to answer our questions about what knowledge and skills to teach and assess is to consider what knowledge and skills students will need to be effective citizens. What are the "real-world" challenges that citizens and their elected and appointed leaders face? What should schools ask students to do to demonstrate that they are prepared to live in and sustain a constitutional democracy? These are questions that civic educators have been asking for many years, yet no one generally accepted answer has emerged.

In 1994, a task force of the National Council for the Social Studies (NCSS 1994) produced a list of performance expectations regarding students' learning related to civic ideals and practices; according to this list, the successful learner can:

1. Explain the origins and continuing influence of key ideals of the democratic republican form of government, such as individual human dignity, liberty, justice, equality, and the rule of law.

2. Identify, analyze, interpret, and evaluate sources and examples of citizens' rights and responsibilities.

© SSEC



Sample Test for U.S. Citizenship

NOTE: Questions are selected by the examiner at own discretion and given orally to the candidate. (Record your answers in notebook or other paper to allow space for complete answers.)

Part I: U.S. History

1. Name the 13 original colonies.
2. Who is called the "Father" of this country?
3. What do the stars and the stripes of the United States flag stand for?
4. What are the highest mountains in the United States?
5. Who was Abraham Lincoln (include at least 3 descriptions)?
6. What was the Revolutionary War (give at least 3 facts about the war)?
7. When was the Revolutionary War?
8. What was the Civil War (give at least 3 statements of fact about the war)?
9. What is the name of the national anthem?
10. Who were the Pilgrims (give at least 3 statements of fact about them)?
11. What is the United States (give at least 3 statements of fact about it)?
12. What are the four most important documents in the early history of the United States?
13. What is the capital of the United States?
14. Where does the President live (give at least 2 facts)?
15. What is the longest river in the United States?
16. What is the 4th of July (give at least 3 statements of fact about it)?
17. What is the Constitution (give at least 3 statements of fact about it)?
18. What do the colors of the United States flag stand for?
19. There have been 16 territorial expansions made by the U.S. since the Revolution. Name eight and include dates.
20. There have been 39 Presidents in the U.S. since the Constitution went into effect. Name ten Presidents and give the years they were in office.

Part II: U.S. Government

1. How does the government get the money needed to carry on its affairs?
2. Where is the original document of the Constitution located (give at least 2 facts)?
3. Who wrote the pledge to the flag of the United States (Pledge of Allegiance)?
4. Who elects the President?
5. Who makes the laws for each of the 50 states?
6. Did we have a government before the Constitution? If yes, name it.
7. What are the two houses of Congress?
8. What body advises the President in making policy decisions.
9. What is the 26th Amendment?
10. In order, name the first three successors to the President in case the President resigns or dies.
11. How long does a Federal judge serve? What are the exceptions?
12. What are the three branches of the U.S. government? Name them and give the main powers of each.
13. What are the first 10 Amendments to the Constitution called?
14. What is a democratic government?
15. What are the principles of the U.S. Constitution? (name at least 3)
16. Is the American government a federation or centralized? Explain.
17. What are the major political parties in the U.S.?
18. Is the United States a dictatorship, a monarchy, or a republic? Explain.
19. Who is now the President of the United States?
20. Why do you want to (be) an American citizen?

Part III: English Test

Write the following sentences in ink, completing those which have blanks.

1. I want to be an American citizen.
2. I have a pen in my right/left hand.
3. This pen has ____________ (blue, black,) ink.
4. I came to ______________ (state) from ____________ (country) on ________________ (date).
5. I am wearing ________________ (color) shoes.
6. Yesterday was a ________________ (cold, warm, hot) day.
7. I am working at ______________________________; my job is to ________________________.
8. We have _________ (give #) children: ____ sons and ____ daughters.
9. My first name is ________________________.
10. I will do my best to be a worthy citizen.

Part IV: Oath of Naturalization

"I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance to any foreign prince, potentate, state or sovereignty, of whom or which I have heretofore been a subject or citizen; that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will bear arms on behalf of the United States when required by the law; that I will perform non-combatant service in the armed forces of the United States when required by the law; that I will perform work of national importance under civilian direction when required by law; and that I take this obligation freely without any mental reservation or purpose of evasion: so help me God."

Figure 2.1. Sample test for U.S. citizenship.

3. Locate, access, analyze, organize, synthesize, evaluate, and apply information about selected public issues—identifying, describing, and evaluating multiple points of view.

4. Practice forms of civic discussion and participation consistent with the ideals of citizens in a democratic republic.

5. Analyze and evaluate the influence of various forms of citizen action on public policy.

6. Analyze a variety of public policies and issues from the perspective of formal and informal political actors.

7. Evaluate the effectiveness of public opinion in influencing and shaping public policy development and decision-making.

8. Evaluate the degree to which public policies and citizen behaviors reflect or foster the stated ideals of a democratic republican form of government.

9. Construct a policy statement and an action plan to achieve one or more goals related to an issue of public concern.

10. Participate in activities to strengthen the "common good," based upon careful evaluation of possible options for citizen action.

The law-related education community, led by the American Bar Association, has developed a list of *Essentials of Law-Related Education* (1995), which defines the "knowledge, skills, and values that students need to function effectively in our pluralistic, democratic society based on the rule of law." While these essentials are considerably more elaborated than indicated below, they include the following elements:

1. **Subject matter/knowledge:** law, justice, power, equality, property, and liberty, as well as understanding of essential documents of our democracy.

2. **Skills:** research skills, thinking skills, communication skills, and skills of social participation.

3. **Attitudes, beliefs, and values**: commitment to constitutional democracy and the ideal of justice; valuing informed, active, and responsible participation in civic life; respect for fundamental human rights and dignity; appreciating the value of legitimately resolving conflicts and differences in society; understanding how the law promotes social cohesion, effects social change, and shapes and is shaped by collective values, beliefs, and dispositions.

Walter Parker (1990) has taken this discussion a step farther, identifying six tasks that high school graduates should be able to do to qualify for the "office of citizen":

1. Select one pressing public controversy drawn from this month's newspapers, given three of the same [public controversies], and write an

© SSEC

analysis of the issues involved, take a position, argue both for and against the position, and draw at least one historical parallel.

2. Respond correctly to 95 percent of the items on the citizenship test given to immigrants seeking citizenship.

3. Describe the changing diversity and relations of ethnic groups in North America from the 12th century to today, and forecast a number of years (to be announced) hence.

4. Given three pressing international conflicts related to economic development, select one and summarize it in writing, addressing the role of climate, resources, and location, and sketch from memory a map of that region of the world.

5. Compare and contrast a diverse set of examples of societies organized and attempting to organize under the democratic ideal.

6. Analyze a transcribed excerpt of a discussion of a public issue, distinguishing among factual, definitional, and ethical issues, and judging the quality of each participant's contribution to the discussion.

While every educator might describe the qualifications for citizenship somewhat differently, thinking through these questions is a necessary step in determining what learning should be assessed authentically.

Reflection/Exercise

Compare the authentic assessment you developed in the exercise on page 18 with the descriptions of abilities or expectations provided in the section above. Which of these abilities or expectations would your task assess? What abilities or expectations are not measured by your assessment? Does your task assess any knowledge, skills, or dispositions not included in the lists above? Do you think these should be included in the description of the "office of citizen"? Could Walter Parker's list of tasks be helpful in improving your assessment?

National and State Standards

The recently developed national content standards are voluntary. Civic educators will want to review both Center for Civic Education (CCE) civics/government standards and NCSS standards documents. They are intended to provide direction and focus to education in civics and government. Standards documents can help teachers be more clear

© SSEC

about what they are teaching, stressing skills and concepts within the particulars of this area of study.

Unfortunately, in social studies the number of standards—in history, geography, civics/government, economics, and social studies generally—has provoked reactions ranging from incredulity to exasperation. The standards are so comprehensive and overwhelming, they fail to help teachers decide what is important for students to know and be able to do.

Despite these drawbacks, the standards can be useful to teachers, particularly in moving away from a fact-driven curriculum to a conceptually oriented one. The standards do identify, and quite clearly, the concepts and processes that students should know and be able to do. These "big picture" ideas, the ones that students need to grapple with to understand how the world works, can become the organizational foundation of each unit or authentic task that is taught and assessed.

As teachers gain familiarity with the standards and the process of designing units and tasks that are targeted toward the important conceptual and procedural knowledge of the social sciences, the value of the standards work will become apparent. Hopefully, students will begin to integrate their learning of various facts, dates and events into conceptual models that will provide them a reasonable understanding of the world, and perhaps increase their enjoyment of learning about other people and themselves. The K-12 curriculum, as it moves towards becoming standards based, can spiral meaningfully toward increasingly sophisticated knowledge on the part of students. Then, finally, states and school districts can begin the work of prioritizing the standards and deciding which understandings and skills are truly necessary for a high school diploma.

Reflection/Exercise

The following is a sample 9-12 standard from the *National Standards for Civics and Government*[*]:

"**B.5. Scope and limits of rights.** *Students should be able to evaluate, take, and defend positions on issues regarding the proper scope and limits of rights.*

To achieve this standard, students should be able to

- explain what is meant by the "scope and limits" of a right, e.g., the scope of one's right to free speech in the United States is extensive and protects almost all forms of political expression; however, the right to free speech can be limited if and when that speech seriously harms or endangers others

---

[*] Reprinted with permission. *National Standards for Civics and Government*, pp. 130-131. Copyright 1994. Center for Civic Education, Calabasas, CA.

- evaluate the argument that all rights have limits
- explain considerations or criteria commonly used in determining what limits should be placed on specific rights, e.g.,
    - clear and present danger rule
    - compelling government interest test
    - national security
    - chilling effect on the exercise of rights
    - libel or slander
    - public safety
    - equal opportunity
- evaluate positions on a contemporary conflict between rights, e.g., the right to a fair trial and the right to a free press; the right to privacy and the right to freedom of expression; one person's right to free speech versus another's right to be heard
- evaluate positions on a contemporary conflict between rights and other social values and interests, e.g., the right of the public to know what their government is doing versus the need for national security; the right to property versus the protection of the environment"

Select a unit in your current course in which you do or could address this standard. If you were to adopt this standard as the essential outcome of that unit, what would be the implications for your curriculum? instruction? assessment? Would adopting this standard necessarily make your unit more authentic? Why or why not?

A Case Study in Defining Essential Learnings

The previous sections may seem to suggest that defining essential learnings or purposes is a relatively easy process of selecting goals from one of the many available documents. In practice, however, we have found that the process is often extraordinarily difficult. Few documents express exactly what any individual teacher is trying to accomplish. That teacher may have been functioning with implicit goals for many years and may find it difficult to make those goals explicit.

© SSEC

Another challenging aspect of the task of defining essential learnings is limiting the number of goals you choose to address. Many teachers who have made the effort to be explicit about their purposes find that their list of goals is a long one. Yet even the most gifted teacher can only reach a finite number of goals with any unit or course. In addition, as Herman, Aschbacher, and Winter (1992) point out, "Because performance assessments require considerable time and energy—both yours and your students—you will want to focus on a relatively small number of important outcomes, each perhaps representing a month or a quarter's worth of instruction."

In the 1994-95 school year, Ginny Jones, a teacher at Skyline High School in Longmont, Colorado, decided to develop a rubric [scoring guide] for a student portfolio project for her Street Law class. Ginny's class included a variety of rich learning experiences, but she hadn't previously thought deeply about what she hoped these experiences added up to in terms of student learning. Her goal in creating the rubric was "to provide students with a 'snapshot' of the large course outcomes along with my thoughts about how they and I will know if they're accomplishing those goals." After analyzing her course plans, reflecting on what she believed to be important, and spending considerable time with SSEC staff discussing important law-related education outcomes, Ginny identified four areas in which she wanted students to show growth:

- The ability to articulate multiple perspectives.
- The ability to use legal reasoning and to take and support positions on legal issues.
- Understanding of substantive knowledge related to individual rights and responsibilities, criminal law and the justice system, and civil or family law.
- The ability to work as a group member.

Following a project meeting at which linking outcomes and assessments was stressed, Ginny realized that in developing this rubric, she had identified her most important purposes—what matters to her—in her Street Law class. As she prepared to teach the class in the 1995-96 school year, she created an overhead of her rubric to use as a filter for everything the class would do: every activity she planned would be examined according to whether it helped students achieve these big outcomes. In addition, students would be constantly aware that these were the areas on which they would be working and against which they would be assessed during the class.

© SSEC

Reflection/Exercise

Think about a course you are currently teaching. What are the major purposes that you have for this course? That is, what matters to you in terms of student learning? You can begin this task in several ways: (1) you can think in the abstract about the most important purposes of your teaching, (2) you can use documents such as the national or state standards or your district's curriculum framework as a source, (3) you can analyze the powerful learning experiences you provide and determine what outcomes these experiences produce, or (4) you can think about what you want students to leave the course knowing or having.

Whichever strategy you use, produce a list of the "essential" learnings of your course. When you have compiled this list, review it. Is the list realistic? That is, can you reasonably expect to achieve all of these goals? Will you have time to provide instruction addressing each of these goals? Will you have time to meaningfully assess whether students have achieved each of these goals? If your answer to any of these questions is "No," begin prioritizing the goals so that you can realistically answer each of these questions with a "Yes."

A Process for Linking Outcomes, Instruction, and Assessment

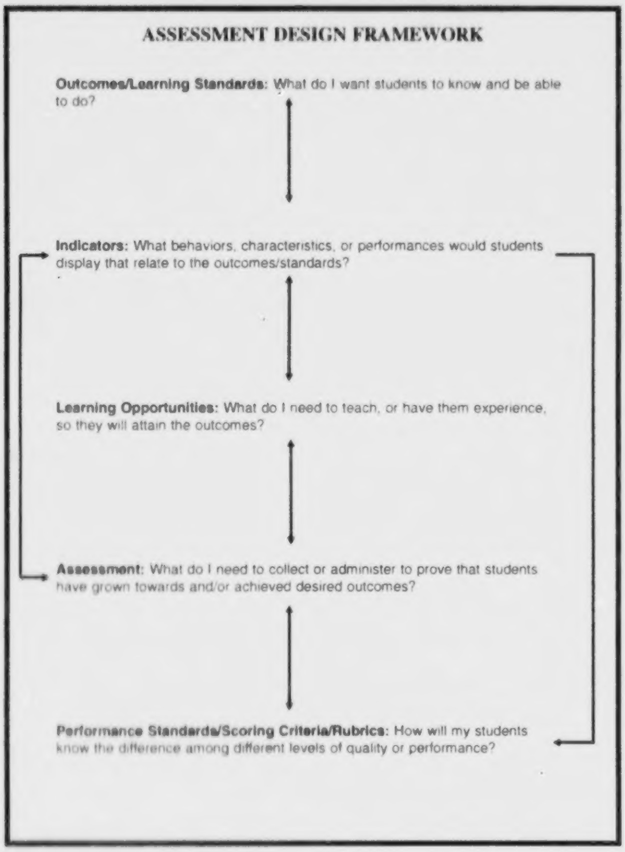
You have completed the difficult task of identifying the essential learnings for your course. You have prioritized the initial list of goals you created so that your current list is attainable, can be addressed through your instruction, and can be assessed. What do you do with this list? The following is a process suggested to our project by Giselle Martin-Kniep, an educational consultant who has worked extensively with teachers on aligning instruction and assessment with critical outcomes. The diagram in Figure 2.2 shows the process in graphic form.

For each outcome that you have listed as essential to your course, begin by asking: What evidence will indicate that students have achieved this outcome? That is, what behaviors or actions would demonstrate that students have met the identified goal?

To illustrate, assume that one of your outcomes is the following:

> Students will be able to take and defend positions on public issues, both orally and in writing.

One way to begin thinking about indicators or evidence that students have achieved this outcome is to think about actions in the "real world"



Outcomes/Learning Standards: What do I want students to know and be able to do?

Indicators: What behaviors, characteristics, or performances would students display that relate to the outcomes/standards?

Learning Opportunities: What do I need to teach, or have them experience, so they will attain the outcomes?

Assessment: What do I need to collect or administer to prove that students have grown towards and/or achieved desired outcomes?

Performance Standards/Scoring Criteria/Rubrics: How will my students know the difference among different levels of quality or performance?

Figure 2.2. Assessment design framework developed by Giselle Martin-Kniep.

that show that citizens are able to do what your outcome calls for. For example, citizens write persuasive letters to public officials, they create brochures urging people to vote a particular way on an issue, they write editorials or letters to the editor, they take part in public discussion of issues, they testify at public hearings, and so on. This list of actions can serve as a starting point for selecting indicators that the outcome has been achieved.

Next, think about what learning opportunities you will offer to help students achieve your outcomes. This step will involve analyzing the units and lessons you have been teaching to see if they address the outcomes you have identified. If they do not, they will need to be eliminated—a difficult thing for most teachers to do—or revised so that they do address critical outcomes. If your current units do not address outcomes you have identified as essential, you will need to plan new instructional experiences to address those outcomes.

For example, let's return to the outcome we discussed above. You have been teaching a public issues analysis unit for several years. This unit addresses important aspects of the identified outcome, since it teaches students a framework for analyzing and discussing issues and provides numerous opportunities for students to use the framework. However, you have also identified writing about issues as an important aspect of the outcome—and this aspect is not addressed in your current unit. Thus, you decide that you need to plan some activities on writing about public issues for various audiences.

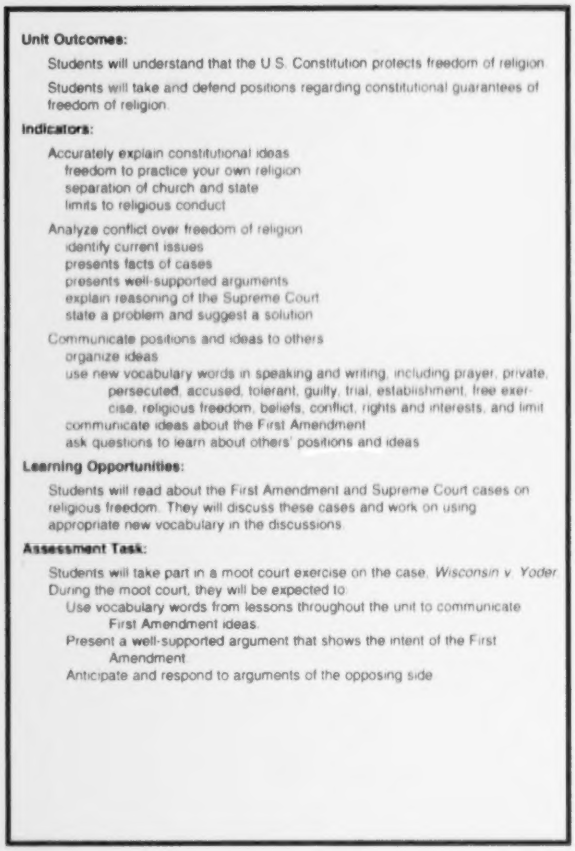
Of course, in analyzing your current instruction, you may decide that, in fact, an outcome you have not listed is essential. This is fine—the process should be cyclical (even though it sounds linear as we describe it)—but you must also be wary of adding outcomes until your list becomes unattainable.

The next step in the process is deciding how you will document that students have achieved the outcomes. Actually, referring to this as the "next step" is inaccurate, since the process is so closely allied with identifying indicators and planning for instruction that they must be thought about simultaneously. In planning the assessment portion of your course, you must ask yourself: What kind of task will produce evidence that students have achieved (or at least progressed toward) the outcome? What kinds of information could I gather in the course of teaching the unit or lessons that will document their attainment of the outcomes I want for them?

For the outcome we have been using as an example, you might decide that two types of assessment tasks would be needed—a scored discussion and a letter-writing assignment. To document students' progress in expressing their views both orally and in writing, you plan to use both types of tasks three times throughout the course—once during the unit in which the public issues model is introduced and twice in conjunction with other units in which students are analyzing public issues as part of their substantive learning experiences. You also plan to give a pretest at the beginning of the public issues unit. Students will defend a position on a public issue in writing. Their work will be saved until the end of the course for use as a baseline for assessing growth.

Jovita Babar, director of the "It's Yours... the Bill of Rights" project at the Constitutional Rights Foundation-Chicago, used Giselle's framework to rethink her teaching about the First Amendment for ESL students. In rethinking her lesson, she spent time clarifying her outcomes, developing indicators, determining what she needed to teach, and creating an appropriate assessment task for her students. The results of her work are presented in Figure 2.3.

© SSEC



Unit Outcomes:

Students will understand that the U S. Constitution protects freedom of religion.

Students will take and defend positions regarding constitutional guarantees of freedom of religion.

Indicators:

Accurately explain constitutional ideas
  freedom to practice your own religion
  separation of church and state
  limits to religious conduct

Analyze conflict over freedom of religion
  identify current issues
  presents facts of cases
  presents well-supported arguments
  explain reasoning of the Supreme Court
  state a problem and suggest a solution

Communicate positions and ideas to others
  organize ideas
  use new vocabulary words in speaking and writing, including prayer, private, persecuted, accused, tolerant, guilty, trial, establishment, free exercise, religious freedom, beliefs, conflict, rights and interests, and limit
  communicate ideas about the First Amendment
  ask questions to learn about others' positions and ideas

Learning Opportunities:

Students will read about the First Amendment and Supreme Court cases on religious freedom. They will discuss these cases and work on using appropriate new vocabulary in the discussions.

Assessment Task:

Students will take part in a moot court exercise on the case, *Wisconsin v. Yoder*. During the moot court, they will be expected to:
  Use vocabulary words from lessons throughout the unit to communicate First Amendment ideas.
  Present a well-supported argument that shows the intent of the First Amendment.
  Anticipate and respond to arguments of the opposing side.

Figure 2.3. Example of assessment design process completed for an ESL unit.

Reflection/Exercise

Choose an outcome that you have identified as essential to your course. Fill it in in the lefthand column in the table below. Then identify indicators or evidence related to that outcome, instruction that you will offer to help students achieve the outcome, and possible assessment tasks that you might use to gather evidence that students have achieved the outcome. Then note other outcomes that this task might also provide evidence about, since you will rarely direct an assessment toward only one outcome.

Outcome/ Goal	**Indicators/ Evidence**	**Instruction/ Learning Experience**	**Assessment Tasks**

References

Bahmueller, Charles R., and Margaret S. Branson, "Renewing the Civic Purpose of the Schools," *Momentum* (September/October 1993).

Essentials of Law-Related Education: A Guide for Practitioners and Policymakers (Chicago: American Bar Association, 1995).

Herman, Joan L., Pamela R. Aschbacher, and Lynn Winters, *A Practical Guide to Alternative Assessment* (Alexandria, VA: Association for Supervision and Curriculum Development, 1992).

National Standards for Civics and Government (Calabasas, CA: Center for Civic Education, 1994).

Parker, Walter C., "Assessing Citizenship," *Educational Leadership* 48, no. 3 (November 1990), pp. 17-22.

National Council for the Social Studies Task Force, *Expectations of Excellence: Curriculum Standards for Social Studies* (Washington, DC: National Council for the Social Studies, 1994).

© SSEC

Chapter 3: Designing an Assessment Task and Scoring Rubric

In Chapter 2, we discussed the use of standards and outcomes, broadly construed, as starting points for teachers working toward more authentic assessment and described a process for linking standards/outcomes with instruction and assessment. Now it is time to get to the hands-on work of designing authentic assessment tasks and tools for communicating expectations to students.

Authentic tasks combine three essential components: **knowledge, higher order thinking,** and **student production**, all of which must be present in any given task or assessment. When students are asked to engage in higher level thinking about important concepts, and to display this thinking in realistic, high quality products and performances, they truly have the opportunity to integrate knowledge and so become increasingly sophisticated in their understandings about the people and the world around them.

For many teachers, the most logical starting point for developing an authentic assessment task is to adapt a lesson currently being taught. We therefore begin this chapter with a case study of a teacher who did exactly that. We then describe processes for constructing assessment tasks and developing scoring rubrics.

Case Study: Turning Points for Equality

During April, visitors to Campus Middle School in Cherry Creek (CO) pass through a gallery of student-created posters (enlargements of magazine pages) with the theme "Turning Points for Equality." The walls of the commons are lined with the illustrated stories of Dred Scott, Alan Bakke, the Montgomery Bus Boycott, John and Mary Beth Tinker, and Homer Plessy. Visitors to the school as well as students and teachers learn some of the important stories of U.S. citizens and the quest for equal rights.

It is not unusual for people who see the exhibit to ask the students' teacher, Jackie Johnson, "How do you get this level of work from students?" Jackie thinks that some of her success is explained by emphasizing content within engaging, creative assignments. For her, this means that the assessments as well as the lessons must be worthy of the students' best efforts.

© SSEC

Jackie's experience in transforming a successful lesson into a performance task by developing and testing a scoring rubric is presented here for your analysis. "Turning Points for Equality" (see Figure 3.1) is a lesson in which she sets high expectations for understanding content, thinking deeply, and creatively presenting information. She cautions that the lesson and her assessments are "works in progress."

Here are questions that Jackie has asked and answered as part of the process of improving a lesson using principles of authentic assessment.

1. *My first step was taking time to ask: Does this lesson result in something that I (and others) really value?*

My reason for putting a great deal of effort into "turning points" is giving students a big picture of the evolution of equal rights. Equality is an important and complex concept—particularly as it is linked to the Constitution. I want my students to look at this concept in a historical context by comparing many events and seeing the setbacks as well as the leaps forward. I strive for depth as well as a big picture. Thus, I asked students to research one event. I believe that, through the poster-making experience and the interaction and reflection that follows, the vast majority of my students absorbed a great deal of content in a short period of time. I hope this lesson has a personal impact on them. I believe that they should see the evolution for equal rights as a continuing and ambiguous struggle. I do not want them to take equality for granted. Their generation faces difficult issues. I hope that as a result of this lesson, students can make more meaning of current issues regarding equal rights and be analytical about stories they watch on the 6:00 news.

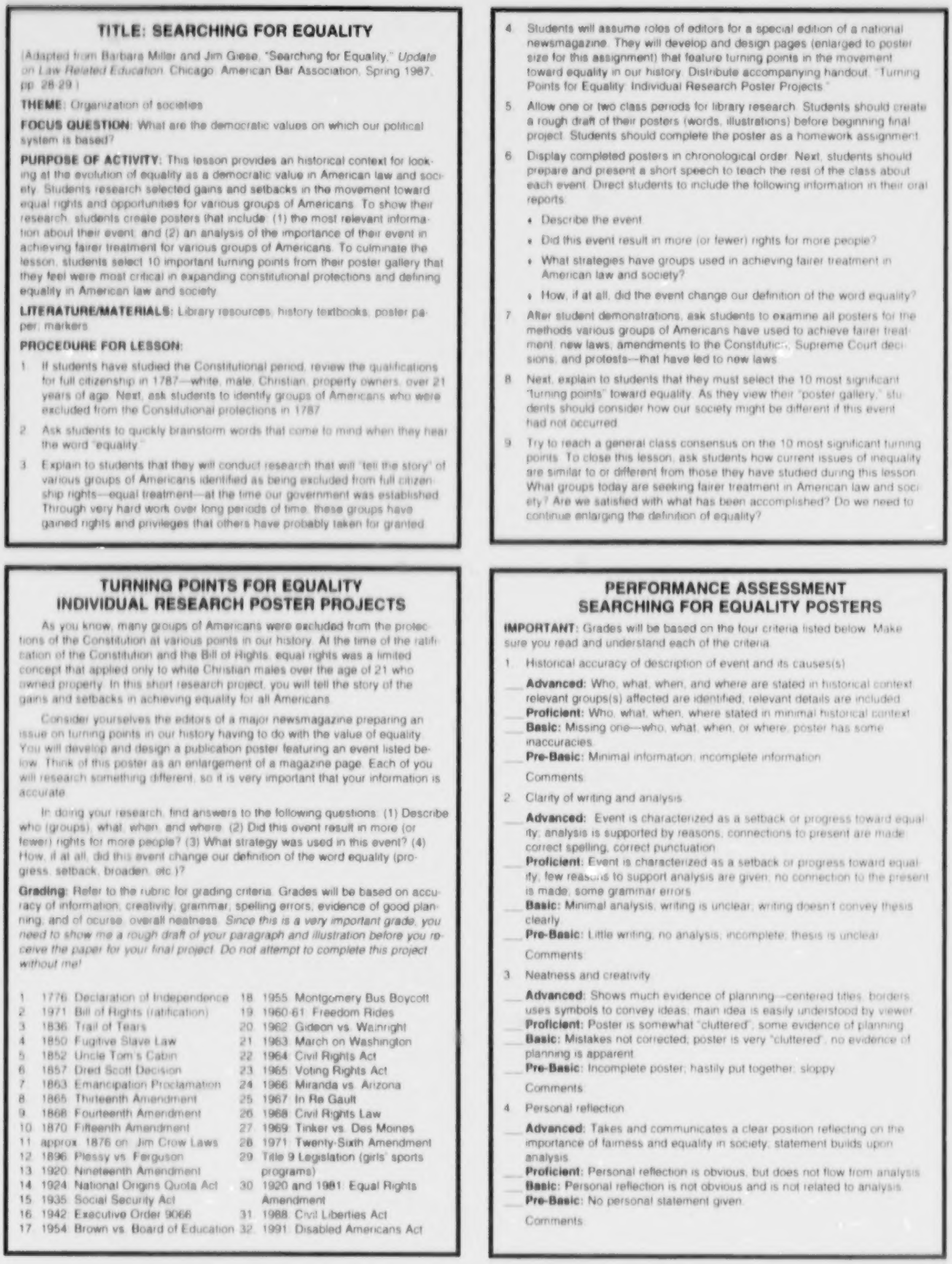
2. *Does this task require students to use both knowledge and higher order thinking?*

I selected the poster over an essay as an appropriate task because of the type of thinking that students would be asked to do. For many of my students, writing a research paper would be easier—even a "no brainer" because they would simply summarize lots of information. In contrast, the poster requires them to do the same amount of research and then make decisions about what is most important. The poster requires narrowing, selecting nuggets, sorting, and stating a complex idea simply and in a way that people understand and want to know more.

"For me, the process of developing a scoring rubric is one way of answering questions about quality."

Before the lesson is over, some students tell me that this is more difficult than an essay. This assignment does not lend itself to copying and limits the involvement of "helicopter" parents.

Because some students have the attitude that a poster assignment is "fun and games," I structure the activity carefully to prevent sloppy work and to let them know that I will be looking for evidence of intellectual rigor. They need to know that this is not just a grade—but an important one. The rubric lets students and parents know that the exercise in-



TITLE: SEARCHING FOR EQUALITY

(Adapted from Barbara Miller and Jim Giese, "Searching for Equality," *Update on Law Related Education*. Chicago: American Bar Association, Spring 1987, pp. 28-29.)

THEME: Organization of societies

FOCUS QUESTION: What are the democratic values on which our political system is based?

PURPOSE OF ACTIVITY: This lesson provides an historical context for looking at the evolution of equality as a democratic value in American law and society. Students research selected gains and setbacks in the movement toward equal rights and opportunities for various groups of Americans. To show their research, students create posters that include: (1) the most relevant information about their event; and (2) an analysis of the importance of their event in achieving fairer treatment for various groups of Americans. To culminate the lesson, students select 10 important turning points from their poster gallery that they feel were most critical in expanding constitutional protections and defining equality in American law and society.

LITERATURE/MATERIALS: Library resources, history textbooks, poster paper, markers

PROCEDURE FOR LESSON:

1. If students have studied the Constitutional period, review the qualifications for full citizenship in 1787—white, male, Christian, property owners, over 21 years of age. Next, ask students to identify groups of Americans who were excluded from the Constitutional protections in 1787.
2. Ask students to quickly brainstorm words that come to mind when they hear the word "equality."
3. Explain to students that they will conduct research that will "tell the story" of various groups of Americans identified as being excluded from full citizenship rights—equal treatment—at the time our government was established. Through very hard work over long periods of time, these groups have gained rights and privileges that others have probably taken for granted.
4. Students will assume roles of editors for a special edition of a national newsmagazine. They will develop and design pages (enlarged to poster size for this assignment) that feature turning points in the movement toward equality in our history. Distribute accompanying handout, "Turning Points for Equality: Individual Research Poster Projects."
5. Allow one or two class periods for library research. Students should create a rough draft of their posters (words, illustrations) before beginning final project. Students should complete the poster as a homework assignment.
6. Display completed posters in chronological order. Next, students should prepare and present a short speech to teach the rest of the class about each event. Direct students to include the following information in their oral reports:
   - Describe the event.
   - Did this event result in more (or fewer) rights for more people?
   - What strategies have groups used in achieving fairer treatment in American law and society?
   - How, if at all, did the event change our definition of the word equality?
7. After student demonstrations, ask students to examine all posters for the methods various groups of Americans have used to achieve fairer treatment: new laws, amendments to the Constitution, Supreme Court decisions, and protests—that have led to new laws.
8. Next, explain to students that they must select the 10 most significant "turning points" toward equality. As they view their "poster gallery," students should consider how our society might be different if this event had not occurred.
9. Try to reach a general class consensus on the 10 most significant turning points. To close this lesson, ask students how current issues of inequality are similar to or different from those they have studied during this lesson. What groups today are seeking fairer treatment in American law and society? Are we satisfied with what has been accomplished? Do we need to continue enlarging the definition of equality?

TURNING POINTS FOR EQUALITY
INDIVIDUAL RESEARCH POSTER PROJECTS

As you know, many groups of Americans were excluded from the protections of the Constitution at various points in our history. At the time of the ratification of the Constitution and the Bill of Rights, equal rights was a limited concept that applied only to white Christian males over the age of 21 who owned property. In this short research project, you will tell the story of the gains and setbacks in achieving equality for all Americans.

Consider yourselves the editors of a major newsmagazine preparing an issue on turning points in our history having to do with the value of equality. You will develop and design a publication poster featuring an event listed below. Think of this poster as an enlargement of a magazine page. Each of you will research something different, so it is very important that your information is accurate.

In doing your research, find answers to the following questions: (1) Describe who (groups), what, when, and where. (2) Did this event result in more (or fewer) rights for more people? (3) What strategy was used in this event? (4) How, if at all, did this event change our definition of the word equality (progress, setback, broaden, etc.)?

Grading: Refer to the rubric for grading criteria. Grades will be based on accuracy of information, creativity, grammar, spelling errors, evidence of good planning, and of ocurse, overall neatness. *Since this is a very important grade, you need to show me a rough draft of your paragraph and illustration before you receive the paper for your final project. Do not attempt to complete this project without me!*

1. 1776 Declaration of Independence
2. 1971 Bill of Rights (ratification)
3. 1836 Trail of Tears
4. 1850 Fugitive Slave Law
5. 1852 Uncle Tom's Cabin
6. 1857 Dred Scott Decision
7. 1863 Emancipation Proclamation
8. 1865 Thirteenth Amendment
9. 1868 Fourteenth Amendment
10. 1870 Fifteenth Amendment
11. approx. 1876 on: Jim Crow Laws
12. 1896 Plessy vs. Ferguson
13. 1920 Nineteenth Amendment
14. 1924 National Origins Quota Act
15. 1935 Social Security Act
16. 1942 Executive Order 9066
17. 1954 Brown vs. Board of Education
18. 1955 Montgomery Bus Boycott
19. 1960-61 Freedom Rides
20. 1962 Gideon vs. Wainright
21. 1963 March on Washington
22. 1964 Civil Rights Act
23. 1965 Voting Rights Act
24. 1966 Miranda vs. Arizona
25. 1967 In Re Gault
26. 1968 Civil Rights Law
27. 1969 Tinker vs. Des Moines
28. 1971 Twenty-Sixth Amendment
29. Title 9 Legislation (girls' sports programs)
30. 1920 and 1981: Equal Rights Amendment
31. 1988 Civil Liberties Act
32. 1991 Disabled Americans Act

PERFORMANCE ASSESSMENT
SEARCHING FOR EQUALITY POSTERS

IMPORTANT: Grades will be based on the four criteria listed below. Make sure you read and understand each of the criteria.

1. Historical accuracy of description of event and its causes(s)

___ **Advanced:** Who, what, when, and where are stated in historical context; relevant groups(s) affected are identified; relevant details are included.
___ **Proficient:** Who, what, when, where stated in minimal historical context.
___ **Basic:** Missing one—who, what, when, or where; poster has some inaccuracies.
___ **Pre-Basic:** Minimal information; incomplete information.

Comments:

2. Clarity of writing and analysis

___ **Advanced:** Event is characterized as a setback or progress toward equality; analysis is supported by reasons; connections to present are made; correct spelling, correct punctuation.
___ **Proficient:** Event is characterized as a setback or progress toward equality; few reasons to support analysis are given; no connection to the present is made; some grammar errors.
___ **Basic:** Minimal analysis, writing is unclear; writing doesn't convey thesis clearly.
___ **Pre-Basic:** Little writing, no analysis; incomplete; thesis is unclear.

Comments:

3. Neatness and creativity

___ **Advanced:** Shows much evidence of planning—centered titles, borders; uses symbols to convey ideas; main idea is easily understood by viewer.
___ **Proficient:** Poster is somewhat "cluttered"; some evidence of planning.
___ **Basic:** Mistakes not corrected; poster is very "cluttered"; no evidence of planning is apparent.
___ **Pre-Basic:** Incomplete poster; hastily put together; sloppy.

Comments:

4. Personal reflection

___ **Advanced:** Takes and communicates a clear position reflecting on the importance of fairness and equality in society; statement builds upon analysis.
___ **Proficient:** Personal reflection is obvious, but does not flow from analysis.
___ **Basic:** Personal reflection is not obvious and is not related to analysis.
___ **Pre-Basic:** No personal statement given.

Comments:

Figure 3.1 Jackie Johnson's "Turning Points for Equality" lesson plan and rubric.

BEST COPY AVAILABLE

volves intellectual rigor—understanding of the legal reasoning underlying the cases, understanding of precedent, and developing an understanding of how an issue appeared to people living at another point in time.

3. *In what ways is a poster assignment an authentic task?*

This seems like authentic work to me. Not only do we as citizens need to evaluate the information that we get through sound bites and headlines, we often need to communicate through brochures and flyers in our work. I think that the process of choosing a topic and then teaching others through work they have done on their own contributes to making this authentic.

4. *How do I want to define quality?*

For me, the process of developing a scoring rubric is one way of answering questions about quality. My starting point for developing assessment criteria was to think carefully about what quality looks like related to the evidence of thinking and understanding. I then laid out student work from previous years and solicited help from a colleague with background in assessment. We placed the posters in the four categories that designate levels of achievement in my district—exemplary, proficient, basic, and pre-basic. Starting with those of highest quality, we generated a list of qualities that separated the best from the others. A long list resulted. The qualities most connected to the purpose of the activity were organized into four categories: historical accuracy, clarity of writing, neatness and creativity, and personal reflection. We then moved to the other three piles of posters. They were compared and qualities generated that were parallel to those in each of the four categories. This process took a couple of hours. Unfortunately, the criteria that are easiest to write are also among the least important.

5. *How can this scoring rubric be understood and useful to my students? How can I present it without limiting their creativity?*

I introduced the assignment by asking students to look at samples of posters that I saved from previous years to understand how evidence of understanding, thinking, creativity, and reflection was reflected in work of other students. They analyzed equality through these samples and through original research and poster development. With guidance from me and the librarian, students completed rough draft sketches and wording on notebook paper. The scoring criteria were used again as we talked about their plans. It is at this point that I become the coach and ask questions—"You've got a hole here" or "Some essential information has fallen through the cracks"—and provide feedback "You've written too much and much of it is irrelevant....What is your priority in telling others this story?" Some students did a better job of integrating my coaching advice into their posters. The revision process is an area that we should place more value on and give students more practice—particularly if we want them to value what we are teaching.

© SSEC

6. How will I translate information from the assessment into grades?

I graded student posters giving letter grades (A corresponding to exemplary, B to proficient, C to basic.) Students with pre-basic were expected to revise their assignment. Rarely does a student do work that is consistently at one level—so I look at the range of levels across criteria and then average across traits to come up with a letter grade. In giving grades I give equal weight to content, thinking, format, and reflection. Every student gets comments in addition to the ratings.

Using the rubric makes grading more efficient and clearer to the student. I've found that fewer students want to negotiate for a higher grade because they understand what they need to do for the higher grade.

I find that I'm more likely to give lower grades using a scoring rubric. Without it, I have more opportunity to "give the benefit of the doubt" or give credit for effort.

Constructing an Authentic Assessment or Task

Jackie Johnson's story illustrates well how deciding to assess a lesson more authentically causes a teacher to reexamine her goals and instructional methods as well. Her story also demonstrates how you, as a teacher interested in similar improvements in assessment, might begin transforming a lesson into an authentic assessment task or designing a new assessment task. The subsections below provide a more structured view of the process. Figure 3.2 provides a worksheet that may be useful in working through these steps.

While the process appears to be very linear as we have described it, in practice it is not, as teachers go back to "earlier" steps and revise and refine their thinking as they work on developing the assessment task.

Step One: Briefly describe the task.

A teacher who has gone through the process of linking outcomes with instruction and assessment (see Chapter 2) will have outlined possible assessment tasks. The first step in further developing these ideas into usable assessment tasks is to choose a task for a particular unit of instruction and briefly describe the task. This may be a task the teacher already uses in instruction but has not assessed, such as Jackie's poster assignment: Jackie's description of her task might be as follows:

Students will create posters on turning points in the struggle for equality in U.S. society. The posters will tell about the events, explain whether the event resulted in more or fewer rights for people, describe the strategy used in the event, and explain how the event changed our definition of the word equality.

Alternatively, the assessment activity may be a totally new task. For example, a teacher may have realized in linking outcomes with instruc-

Planning Worksheet

Describe the task you have in mind.

What is the important content students will need to use in the assessment? If this content does not match your course's essential learnings or the task does not require use of knowledge, make revisions.

What higher order thinking skills will students need to use in the assessment? If these skills do not match your course's essential learnings or the task does not require use of higher order thinking, make revisions.

How will students use the knowledge and skills above? What form of discourse, product, or performance will they produce? Does this product represent authentic, real-world use of knowledge and skills? Does the task allow all students to demonstrate use of knowledge and skills? If not, make revisions.

Write the prompt or assignment for students.

Figure 3.2. Worksheet for building authentic assessments.

tion and assessment that understanding how policy is formed is an important outcome of the class to which considerable instructional time is devoted. However, that outcome has not been assessed. Thus, the teacher is thinking about using a simulated congressional hearing activity as an assessment of this outcome.

Step Two: Identify the important knowledge students will use in the task.

Given the time that authentic assessments generally require to both develop and use, each such assessment should assess students' understanding of **essential** concepts or generalizations and their ability to use that knowledge in a real-world task. For example, the generalization underlying Jackie's civil rights lesson is essential to understanding the political systems that organize life in the world today. It could be stated as:

The American political system is constructed upon democratic ideals and values; however, progress towards realizing these ideals for every group is many times unequal and slow.

In identifying the knowledge students will use in the task, teachers may uncover several different kinds of problems with their tasks. First, they may find that the task does not really address knowledge they have identified as essential to their courses. Second, they may find that the task does not require **use** of the knowledge, simply permitting students to reproduce information for teacher approval. Third, they may find that while they believe the task requires the use of knowledge, they cannot adequately assess the level of understanding from the product produced.

Step Three: Identify higher order thinking skills students will use.

Cognitive psychologists have established that learning occurs when new knowledge is meaningfully integrated and connected to prior understandings. Opportunities for students to analyze, compare, make decisions, or use other higher order processes allow the new information "to take hold," eliminating the need for constant reteaching and enabling students to be more sophisticated in their understanding.

Several higher order processes are evident in Jackie's lesson:

Students will practice ***decision making*** *as they decide whether an event is a gain or setback to equality and construct support for their decision. They will* ***take and support a personal position*** *regarding the importance of fairness and equality. Finally, they will connect the event to the present.*

Step Four: Describe in detail the student products or performances.

This step involves designing, in detail, a task that will provide evidence that students have met your instructional goals. A question or task that students perceive as a meaningful challenge will result in more thoughtful work. Through production of discourse, products, or performances, students can more easily relate their formal education to the world around them and practice skills that are needed throughout their lives. Engaging students in production also allows the teacher to offer coaching and feedback that is more helpful to a student than merely a percentage on a test. A well-written rubric is a necessary tool, along with a well-thought-out instructional plan and appropriate practice activities.

In Jackie's lesson, students know from the beginning of the unit that they will be constructing a poster. The poster will reveal their conceptual and factual knowledge, their complex thinking, and their creativity and writing ability. They also know the specific expectations in advance due to the rubric.

In describing the task students will complete in detail, teachers may find that the task, while engaging and fun, is not authentic because the product has no real audience beyond the classroom and its production does not represent real-world use of knowledge and skills. They may also find that ancillary skills irrelevant to the focus of the assessment interfere with students' ability to do well on the assessment. For example, Katie Schultz, a teacher at Frontier Junior High in Graham, Washington, decided to adapt a poster-making assessment she had seen demonstrated at an SSEC project conference. Because her students had no experience creating visuals and instruction in creating such works was not part of her unit, her students did not perform well on the task, even though her observations of their classroom work indicated that they had learned a great deal. Upon reflection, Katie determined that the ability to create effective visual displays, while a worthwhile goal, was not an essential learning of her course, and she decided not to use the poster-making assessment again, feeling that an extraneous skill was interfering with students' ability to show what they had achieved.

A teacher may also find that a task, while authentic, does not allow **all** students to demonstrate their use of the targeted knowledge and skills. For example, several teachers who used mock trials to assess students' understanding of the criminal justice system and their ability to take and defend a position realized that only some of the students were actually able to demonstrate their achievement of these outcomes. Students taking the roles of bailiff and witnesses were limited in their ability to demonstrate knowledge and skills. Thus, teachers opted to make various revisions in their use of the mock trial task—by following the trial

© SSEC

with a writing assignment, by having all students serve on juries and using the jury deliberations as the basis of the assessment, etc.

Step Five: Develop the actual prompt or assignment for use with students.

Using all of the ideas and refinements produced in the previous steps, the teacher is now ready to develop the actual prompt or assignment for use with students. The assignment should be clear, so that students know what is expected and how to proceed with their work. In order to be sure that the prompt is clear, we recommend asking a colleague to review any prompt or assignment prior to its first use.

You might ask your colleague to evaluate the task by answering such questions as:

- In what ways is this task authentic? How does it relate to citizenship activities in the "real world"? Could it be modified to be more authentic?
- Does the task address important law-related or citizenship learning outcomes?
- Might the task be biased toward any group? Are there obstacles that would keep some students from showing what they know and can do?
- Are there elements of the task that are irrelevant to the content or skill being assessed?
- Is the task feasible? Do you have suggestions for making the task more user-friendly?
- Is the task easily understood by students? By other teachers? For example, could you use the task in your classroom without additional explanation?

Reflection/Exercise

Analyze Jackie's "Turning Points of Equality" lesson and rubric. Does the lesson have the characteristics of authentic instruction as described by Newmann and Wehlage? Why or why not? Is the poster a good way for students to demonstrate their knowledge and thinking? What strategies might have more power for achieving her goals? Are the directions for the task clear? Does the assessment rubric reflect the importance of conceptual understanding and higher order thinking, rather than simply factual information?

© SSEC

Writing a Workable Scoring Rubric

At this point, you might be asking yourself: Exactly what is a rubric? A rubric is a scoring guide used to evaluate student work and to define and differentiate among different levels of performance. A rubric is also a tool for giving students better feedback on their work and how to improve it.

Of course, a rubric is not the only type of scoring tool that teachers can use. Checklists can be useful in assessing daily work or "smaller" assessment tasks. In a checklist, the teacher identifies characteristics that she/he is looking for in the work (e.g., takes a position, supports the position using information from the readings, connects the issue to a constitutional question) and simply checks whether each characteristic is present in a student's work. Rating scales, which identify different levels of performance (e.g., excellent writer, competent writer, novice writer) without fully describing them, can also be useful, especially if examples of student work at each level are provided with the rating scale. Rubrics, however, provide the most information to students, helping them understand where they currently are performing and how to improve to the next level.

A typical rubric includes:

- Several dimensions of performance to be assessed. In Jackie's rubric, these dimensions were historical accuracy, clarity of writing and analysis, neatness and creativity, and personal reflection.
- A scale indicating levels of performance. In Jackie's case, the levels of performance are exemplary, proficient, basic, and pre-basic. Often the levels of performance are given numeric equivalents.

GRADE 4
TEST
Campbell

"I hate playing 20 questions with Mrs. Reed."

Copyright Martha F. Campbell. Used with permission.

- Descriptions of each level of performance. A trait-specific rubric provides descriptions of each level of performance for each dimension of performance. The teacher gives separate scores on each dimension. A holistic rubric provides descriptions for each level of performance that incorporate all the dimensions, and the teacher assigns only one score to the work.

The time spent writing a rubric is usually well spent for several reasons. First, it forces a teacher to thoroughly plan both the instruction and the student performance in advance. In the rubric, the teacher clearly communicates in writing the expectations and criteria that will be used, thus focusing the instruction. Teachers will usually not invest the time in this planning and writing without a significant piece of content that they are targeting; learning, instruction, and assessment therefore become bound together in an integrated, meaningful lesson.

A rubric also allows for more meaningful and constructive feedback that better reflects how people learn and mature. Most people have areas that they excel in and those they need to improve; a rubric gives realistic feedback, against a set of criteria, thus enabling the student to focus on the specifics that need to be corrected and to become aware of their strengths. Ideals of continuous progress and student responsibility fit much better with rubric evaluation, as opposed to curves or percentiles. A rubric format is shown to the right.

Criteria	Levels of Performance			
	Novice	Meets Standard	Exceeds Standard	Exemplary
Content Mastery				
Critical Thinking				
Effective Presentation				

Rubric development is a process. Begin by deciding on the criteria you will use to score student performances or products. What dimensions of the performance will you assess—mastery of content? clarity of analysis? critical thinking? ability to support a position? Be specific as to what knowledge and/or behaviors will be assessed. **Avoid** laundry lists of criteria; two to four per rubric is usually enough for students to address. Pick dimensions of performance that are necessary for students to master if they are to achieve your outcome.

Grant Wiggins suggests asking the following questions as a way of evaluating whether you have identified the most important criteria:

- Could a student do well on these criteria and still not have achieved your intended outcome?
- Could a student fail to meet these criteria but still achieve the objective or outcome?

If the answer to either question is yes, the criteria (or task) need some revision.

Next, determine the levels of performance that will be used to describe students' performance. Some districts, like Jackie's, have established a certain number of levels of performance that teachers are to use. Other teachers have flexibility in determining whether to establish three, four, five, or even more levels. It is difficult to say what the "ideal" number of points on the scale is. The number should be large enough so that feedback given using the rubric is useful to students, but small enough to be reliable and manageable. Usually, four or five levels of performance are sufficient. It seems to be useful to have the lowest level reflect some reasonable effort at the task and to have another category for "no attempt." The highest level should describe exemplary performance.

Next, fill in the cells of the rubric by describing the desired product or performance using observable behaviors or characteristics. Write the proficient level first. Then write parallel items for each criterion at each level of achievement. Student work or real-life exemplars are useful in developing the descriptions. Teachers in the SSEC project who had samples of student work from previous years when they began writing rubrics found it useful to start by dividing the work into stacks based on those that were below the standard, at the standard, and above the standard. They then tried to describe the work they saw in the stacks. This process gave them some initial language for various performance levels that they could then begin to refine.

In writing the descriptions of the various levels of performance, focus on what is desired, not on what is missing. For example, it is preferable to say "the writing contains serious mechanical errors" rather than "the student does not proofread writing."

Try to describe clear differences in performance without relying on adverbs and adjectives. For example, "the student expresses ideas that reflect information from a variety of sources" is preferable to "the student uses information from several sources and combines it well." Also try to avoid using norm-referenced language (e.g., average, above average). To be instructional, a rubric must describe what good work is like in a way that helps students improve; terms like *average* only communicate that the work is about like the work of most other students. Also to be avoided are value-laden terms like *good* and *bad*. If you find yourself using these words, think about the consequences of the characteristic of the work you are describing as bad, for example, and describe those consequences. It is more helpful to the student to know that "points do not follow a logical sequence so that the reader has difficulty understanding the writer's argument" than that "the paper is poorly organized."

Remember, too, that rubrics are designed to assess the quality of work, not the quantity.

Many teachers in the SSEC project have struggled with how high to "set the bar" when they define what constitutes exemplary performance. Using the track and field analogy, they ask whether exemplary should represent a good performance at a local meet, a state championship, or an Olympic gold medal. Many teachers opt for the first option, defining exemplary performance as being A work; often, this level is attainable by many students. Steve Schuman, an evaluation consultant from Tacoma, Washington, urges teachers to make the highest performance level less easily attainable. If a rubric is to be instructional, he argues, it should help those students who fairly readily produce A work to continue to improve. Thus, he suggests that teachers define more than one level above proficient or "meets standard."

Clear, concise differences in performance are often hard to describe. This is why it is easier to develop a rubric if you use samples of student work, as Jackie did. The descriptions of performance should be clear enough to allow the evaluator (whether you, another teacher, an aide) and students to discriminate between levels of performance. Samples of student work at each level of performance are called anchors. Many teachers provide students with anchors to introduce the criteria. Some teachers have found it useful to create versions of rubrics in student language ("I used an analogy…").

As with any assessment tool you have developed, we recommend asking a colleague to review your rubric and provide feedback on clarity, the extent to which the descriptors allow you to discriminate between levels of performance, the usefulness of the rubric to students in planning and improving their work, and the like. Be prepared to rework rubrics, two or three times at least, before expecting them to work well. Figure 3.3 is a worksheet you may find useful in the rubric development process.

Rubrics raise many issues that teachers must think through. Some of these issues are discussed briefly below.

Quantity vs. Quality

Many teachers feel more comfortable evaluating with numbers rather than descriptors, feeling that quantifying scores is less "subjective." Deciding on a number still can be very arbitrary, and if the number is based on the quantity of the student's work, can reward students for mindless quantity and penalize the student who, for example, expresses a position well using fewer words or fewer sources, but with a few more mechanical errors. Unless quantity is important in demonstrating achievement of an important outcome, it should not be a primary determinant of how well students are doing.

Validity vs. Reliability

Validity and reliability are terms that are often heard when assessment and testing are discussed. Validity refers to the extent to which a test or assessment measures what it purports to measure. Authentic assessments have often been said to have face validity—that is, on their face, they measure what they set out to measure. This claim masks the fact that for rubrics to be valid, they must accurately identify the important criteria and specifically describe levels of performance on those criteria. An authentic assessment, like any assessment, must be well constructed in order to be valid.

© SSEC

Rubric Development Worksheet

What task will this rubric be used to assess?

What criteria will you use to evaluate student work? That is, what dimensions of performance will be assessed?

Describe the levels of performance. For a trait-specific rubric, provide descriptions of each level for each trait. For a holistic rubric, provide descriptions for each level that incorporate all the dimensions.

↕ Performance Continuum

Level

4 Exemplary

3 Proficient (standard)

2 Beginner

1 Novice

NS Non-Scorable

Figure 3.3. Typical rubric development model.

Remember: Rubric development is a continuous process. You will continue refining your rubrics as you use them.

Reliability refers to the extent to which an assessment will give the same score, either when scored by more than one person or when completed at two different times. Rubrics have been demonstrated to be quite reliable, especially when written to match specific tasks and when used by trained evaluators in blind scoring tasks. In developing a rubric, you may find that you are tempted to describe levels of performance in terms of quantity or to include trivial criteria in order to make the rubrics more reliable; resist this temptation!

Comparison vs. Criterion

Criterion scoring means that student performance will be evaluated in terms of criteria rather than in comparison to other students. Be prepared for situations in which many or most students receive low scores. Students are so accustomed to the lowering of expectations that even hard-working achievers won't believe that you are going to apply a rubric as written the first time. If the teacher is persistent and fair, student performance will improve with the use of rubrics. Rubrics should never be used in a high stakes situation unless all students have had significant experience with rubric scoring and practice on the important criteria for the performance. Social studies departments may have an interest in practicing scoring work using the same rubric so that they are working with students on similar standards.

Holistic vs. Trait-Specific Rubrics

In developing rubrics, teachers must consider whether a holistic or trait-specific rubric is most useful. A holistic rubric describes an entire performance while a trait-specific rubric evaluates the individual components of the performance. A holistic rubric can be less reliable; even with good descriptions, complex performances or products offer infinite variety. Trait rubrics can become too specific and ignore the strength of an entire performance or product; they are, however, more reliable and provide students with more precise diagnostic information. A workable compromise can be the use of more than one rubric. For example, students could be scored on one rubric for their writing skill and on a totally separate one for their use of sources or computer skills.

Student Involvement

Students can fill an important role in the development of rubrics. Their involvement can enhance both the language of the rubric and students' motivation to perform. One approach is to have a conversation with students in which they analyze exemplary products or performances. The teacher might ask "What are the attributes of powerful debate? What should a top score look like?" Students could also analyze less effective examples to determine intermediate points.

© SSEC

Instructional Implications

The use of authentic assessments and rubrics requires the teacher to acquire a solid base of instructional strategies and an understanding of alternative assessment. Students need to have experience and practice with all the important components of an assessment. Thus, teachers must carefully analyze each task and determine what they must teach in order for students to perform well. For example, in Jackie's lesson, in addition to content, students need (1) practice with the steps of decision making, (2) review on summarizing information, (3) review of grammar/spelling/punctuation expectations, and (4) samples of products that represent expectations related to neatness and creativity.

Frequently, teachers provide instruction on the content related to a task but fail to acquaint students with the type of thinking involved. Complex thinking models can be difficult, and students need organizers and practice opportunities before being evaluated. Also, students need practice and feedback about other skills involved in the authentic task, whether they be collaborative work, oral speaking, or computer production skills. Such techniques as observation checklists, response journals, and conferences can be essential tools for providing such feedback. They can also be useful in gathering information to "validate" student performance.

Reflection/Exercise

Select a lesson or unit that you think meets Newmann and Wehlage's criteria for authenticity. Use the process for designing an assessment task and scoring rubric described in this chapter to begin creating an assessment task and developing the rubric.

© SSEC

Chapter 4: Using Student Work to Revise an Assessment and Instruction

The teachers in our project have found that their first attempts at a particular assessment task and rubric are never completely satisfactory. The second time they use a task and its accompanying rubric, they make adjustments in instruction and in the rubric. The most valuable tools for determining what changes will enhance student learning are the products students developed. Close analysis of the products has helped teachers identify areas requiring additional instruction, criteria that students did not understand, learning that the rubric did not reflect, and other factors that allowed them to improve their teaching and assessment practice.

Reflection/Exercise

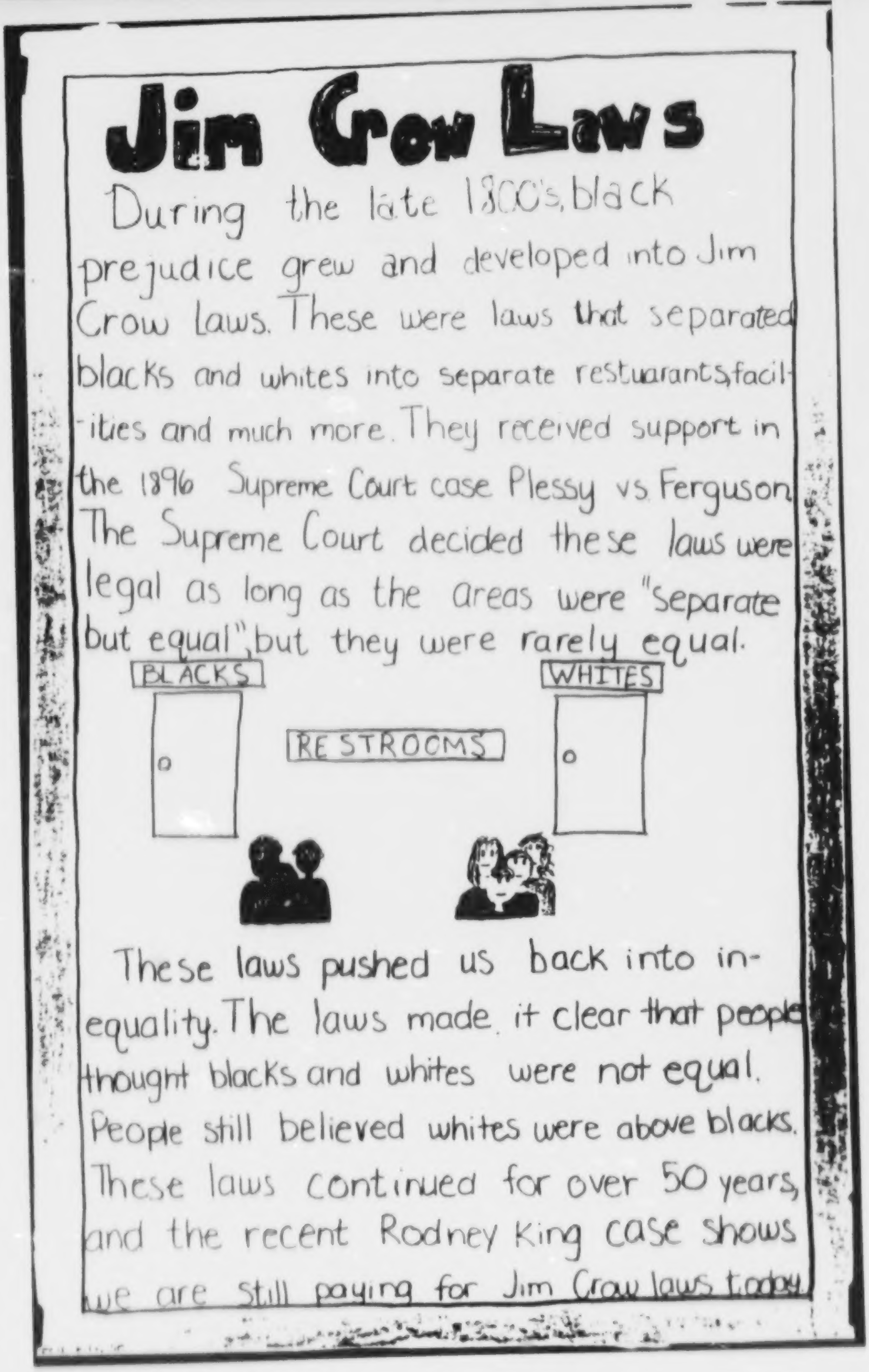
You have been asked to serve as a peer reviewer of Jackie Johnson's assessment task and scoring rubric. Begin by rating each of the posters in Figures 4-1 through 4-4. Complete the following steps and then prepare notes with suggestions for how Jackie can improve (1) the assessment task, (2) the scoring rubric, and (3) the instructional plan.

1. Analyze the student work for the purpose of evaluating the assessment task and the criteria.

a. Investigate the context in which the student work was created (lesson, time, purpose). Are the directions to students clear? Are the standards revealed with examples?

b. Assess the quality of each of the posters using the rubric on page 27. What level of performance does each reflect? What letter grade would you give each and why?

c. Compare notes with a colleague. Where are your evaluations in agreement? in disagreement? Do your scores differ on some traits more than others? After discussion, do you "agree to disagree" on the quality or can you come to some consensus regarding the quality of the work?



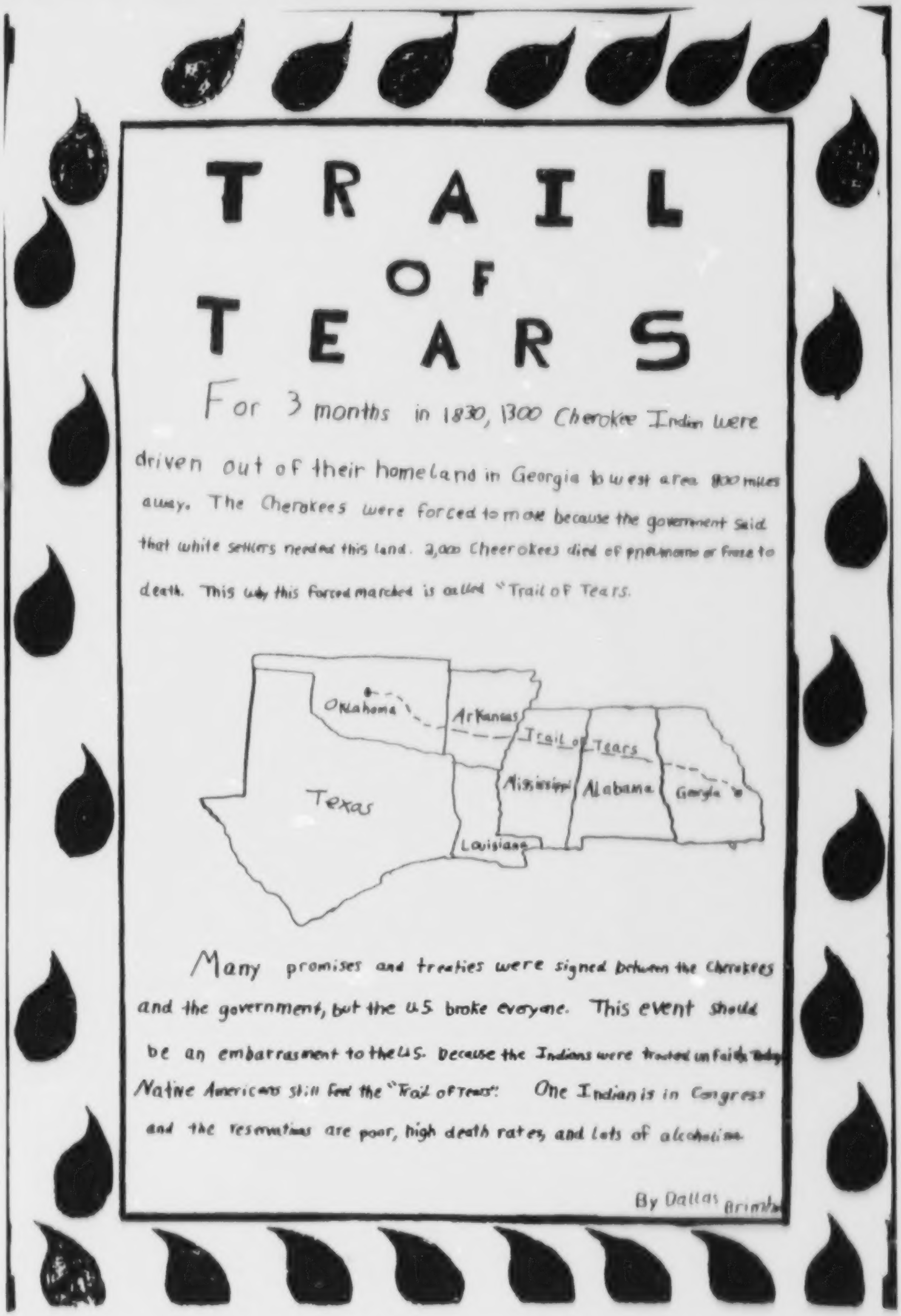
Jim Crow Laws

During the late 1800's, black prejudice grew and developed into Jim Crow laws. These were laws that separated blacks and whites into separate restuarants, facilities and much more. They received support in the 1896 Supreme Court case Plessy vs. Ferguson. The Supreme Court decided these laws were legal as long as the areas were "separate but equal", but they were rarely equal.

These laws pushed us back into inequality. The laws made it clear that people thought blacks and whites were not equal. People still believed whites were above blacks. These laws continued for over 50 years, and the recent Rodney King case shows we are still paying for Jim Crow laws today.

Figure 4.1. Sample poster A.

© SSEC



TRAIL
OF
TEARS

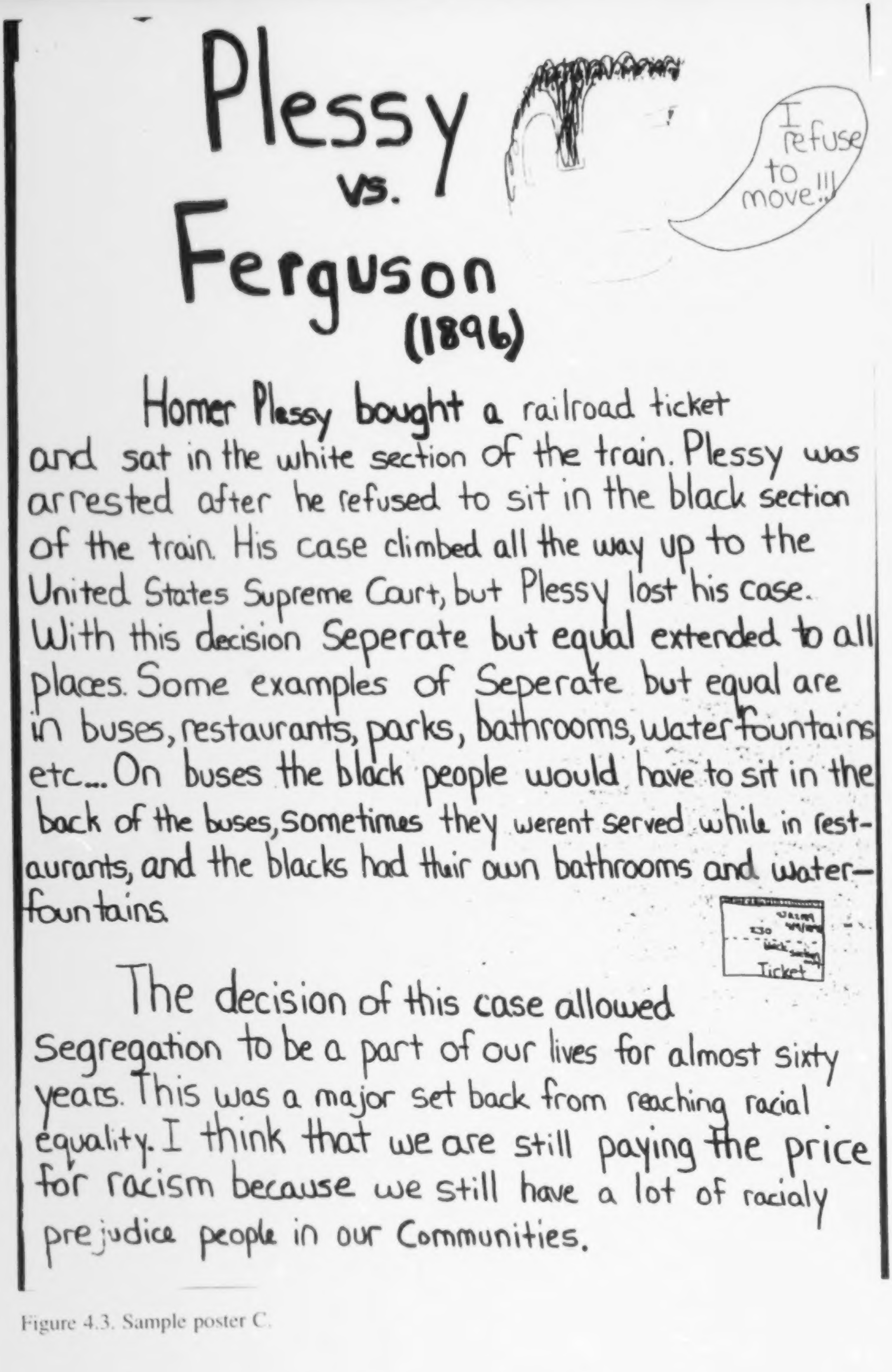
For 3 months in 1830, 1300 Cherokee Indian were driven out of their homeland in Georgia to west area 800 miles away. The Cherokees were forced to move because the government said that white settlers needed this land. 2,000 Cheerokees died of pnumonia or froze to death. This way this forced marched is called "Trail of Tears.

Many promises and treaties were signed between the Cherokees and the government, but the U.S. broke everyone. This event should be an embarrasment to the U.S. because the Indians were treated unfairly. Today Native Americans still feel the "Trail of Tears". One Indian is in Congress and the reservations are poor, high death rates, and lots of alcoholism.

By Dallas Brim

Figure 4.2. Sample poster B.

BEST COPY AVAILABLE



I refuse to move!!!
Ticket

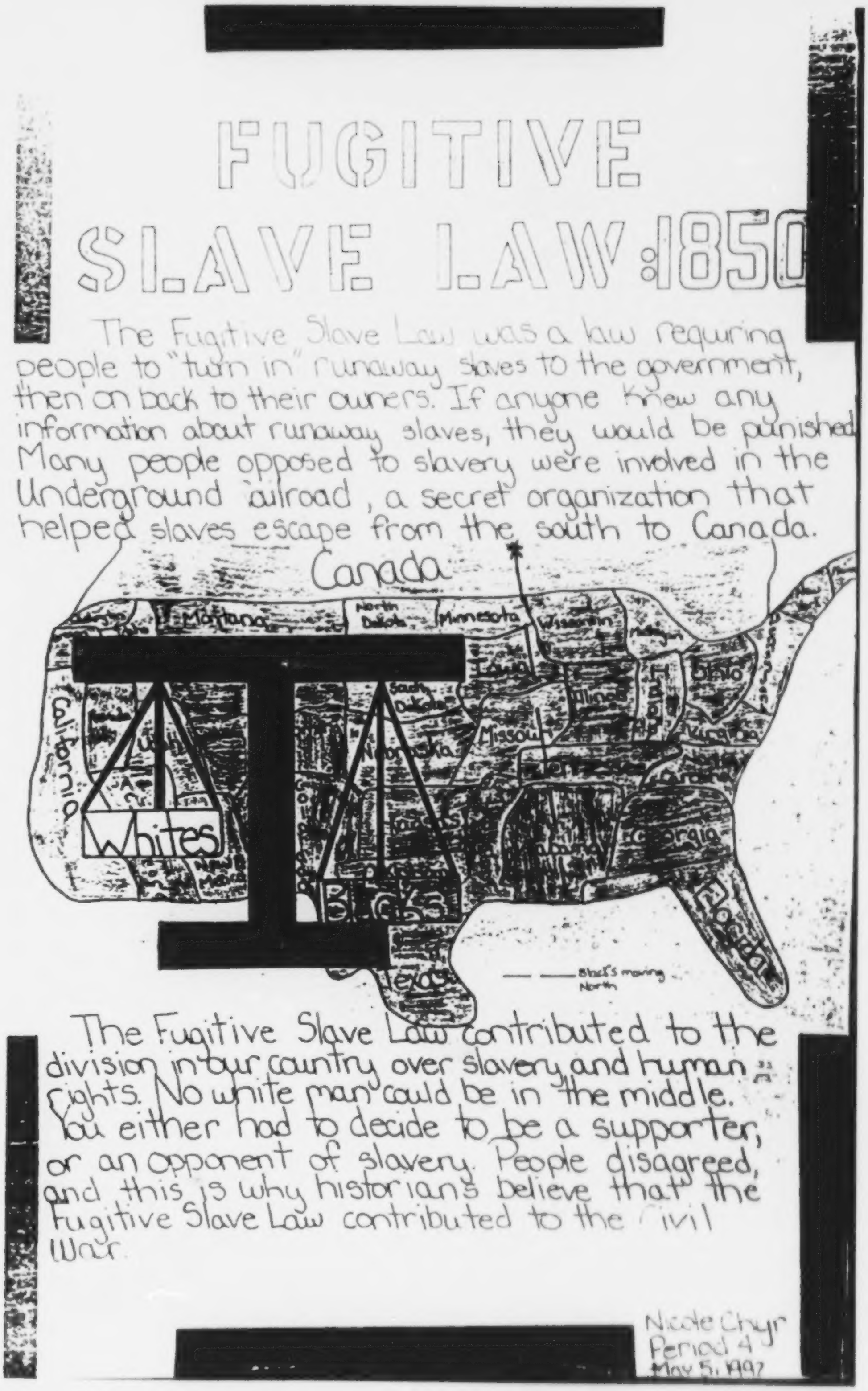
Plessy vs. Ferguson (1896)

Homer Plessy bought a railroad ticket and sat in the white section of the train. Plessy was arrested after he refused to sit in the black section of the train. His case climbed all the way up to the United States Supreme Court, but Plessy lost his case. With this decision Seperate but equal extended to all places. Some examples of Seperate but equal are in buses, restaurants, parks, bathrooms, water fountains etc... On buses the black people would have to sit in the back of the buses, sometimes they werent served while in restaurants, and the blacks had their own bathrooms and water-fountains.

The decision of this case allowed Segregation to be a part of our lives for almost sixty years. This was a major set back from reaching racial equality. I think that we are still paying the price for racism because we still have a lot of racialy prejudice people in our Communities.

Figure 4.3. Sample poster C.

© SSEC



FUGITIVE SLAVE LAW: 1850

The Fugitive Slave Law was a law requiring people to "turn in" runaway slaves to the government, then on back to their owners. If anyone knew any information about runaway slaves, they would be punished. Many people opposed to slavery were involved in the Underground ailroad, a secret organization that helped slaves escape from the south to Canada.

Canada
Montana
North Dakota
Minnesota
Wisconsin
Michigan
Iowa
Ohio
South Dakota
Illinois
Missouri
Nebraska
Kentucky
California
Utah
Whites
New Mexico
Blacks
Georgia
Florida
Texas
—— —— Slaves moving North

The Fugitive Slave Law contributed to the division in our country over slavery and human rights. No white man could be in the middle. You either had to decide to be a supporter, or an opponent of slavery. People disagreed, and this is why historians believe that the Fugitive Slave Law contributed to the Civil War.

Nicole Chyr
Period 4
May 5, 1997

Figure 4.4. Sample poster D.

BEST COPY AVAILABLE

Exercise, cont'd.

2. Rate the assessment task and rubric based on your scoring experience and discussion.

   a. Which criteria worked well? Which were most difficult?

   b. Do the criteria (and the assessment task) address important LRE/civic education outcomes?

   c. Can some of the criteria be successfully embedded within several units so students can practice and improve?

   d. Do the criteria provide students with clear definitions so they know what quality looks like? Can students be involved in developing /modifying the criteria by which their work is judged?

   e. Does this assessment measure what it claims to measure?

3. List the weaknesses that you found in the student posters. How might the assessment task, the rubric, and the instruction be modified to address the weaknesses you have identified? In other words, if you were the teacher, would you be satisfied with this student work? What might you do to change the assessment task, the scoring criteria, or the lesson the next time?

Case Study: A Teacher's Reflections

The following are Jackie's reflections on her task and rubric.

Revising my instruction:

Based on my analysis of student work, I made some instructional changes that I think will improve achievement on three of the four criteria. My goal was to place more emphasis on the instruction related to content within individual posters and into learning content that is presented in the posters of other students. I've noticed that students tend to overemphasize the formatting—perhaps because it is concrete and understandable. While it's easy to put the burden on the student by "weighting" some of the traits, I think it's important for me to change what I'm doing so they get more help with the part I value the most. I've tested this change:

To involve students in analyzing additional turning points, students visited the poster gallery in the commons of our school in groups of five. Each group had a clipboard and the assignment to pick the most important events (see Figure 4.5). Each group was required to present their conclusions to the class. Interestingly, each group selected its own

© SSEC

poster as the most important. In their reports they did a pretty good job of defending their choices: "This was important because it was the first time the Supreme Court dealt with juvenile issues," "This was important because it allowed slavery to continue." I'm pleased because they learned so much through each other; I think Bill Bennett would be pleased because they know lots of content.

Revising the rubric:

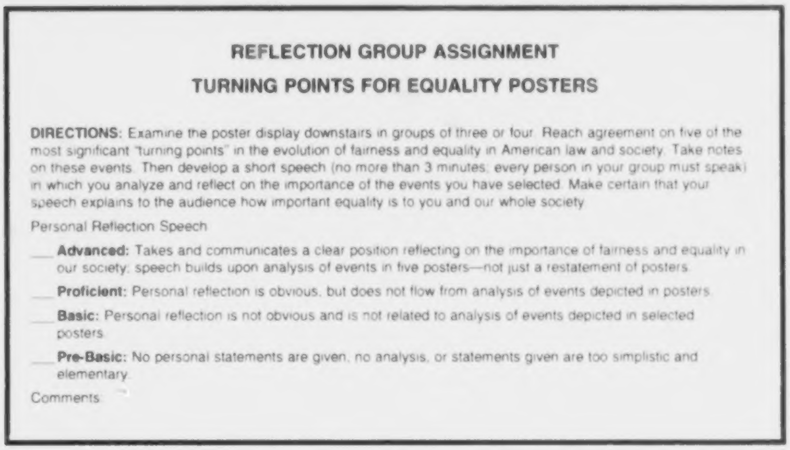
I've changed the heading for the second trait from "clarity of writing" to "clarity of analysis" because I realize the illustrations can contribute to the thinking, which is what I'm really looking for. After looking at the most recent round of student work, I've decided that the reflection criterion is very important but cannot be effectively evaluated through the poster. Therefore, that portion of the assessment will be determined through discussion and/or written essay.

Revising the assessment process:

Next year, I am thinking of inviting a panel of experts to look at the posters and have conversations with students about their thinking and understanding of the content. By providing an audience, I think students will be even more thoughtful about the event they studied in depth and about the work of their classmates.

"I do think that the high scores that my students earned on the traditional test validate the results of the alternative assessment."

I'm wondering about the usefulness of testing students beyond the grades on the posters and on their discussion following the gallery visits. I know that a traditional test would help me to validate my alternative assessment and more importantly, at this time, the parents expect it. I do think that the high scores that my students earned on the traditional test (see Figure 4.6) validate the results of the alternative assessment. I may design an action research project with the assessment specialist in my district to better understand the strengths and weaknesses of each assessment.



REFLECTION GROUP ASSIGNMENT

TURNING POINTS FOR EQUALITY POSTERS

DIRECTIONS: Examine the poster display downstairs in groups of three or four. Reach agreement on five of the most significant "turning points" in the evolution of fairness and equality in American law and society. Take notes on these events. Then develop a short speech (no more than 3 minutes; every person in your group must speak) in which you analyze and reflect on the importance of the events you have selected. Make certain that your speech explains to the audience how important equality is to you and our whole society.

Personal Reflection Speech

___ **Advanced:** Takes and communicates a clear position reflecting on the importance of fairness and equality in our society; speech builds upon analysis of events in five posters—not just a restatement of posters.

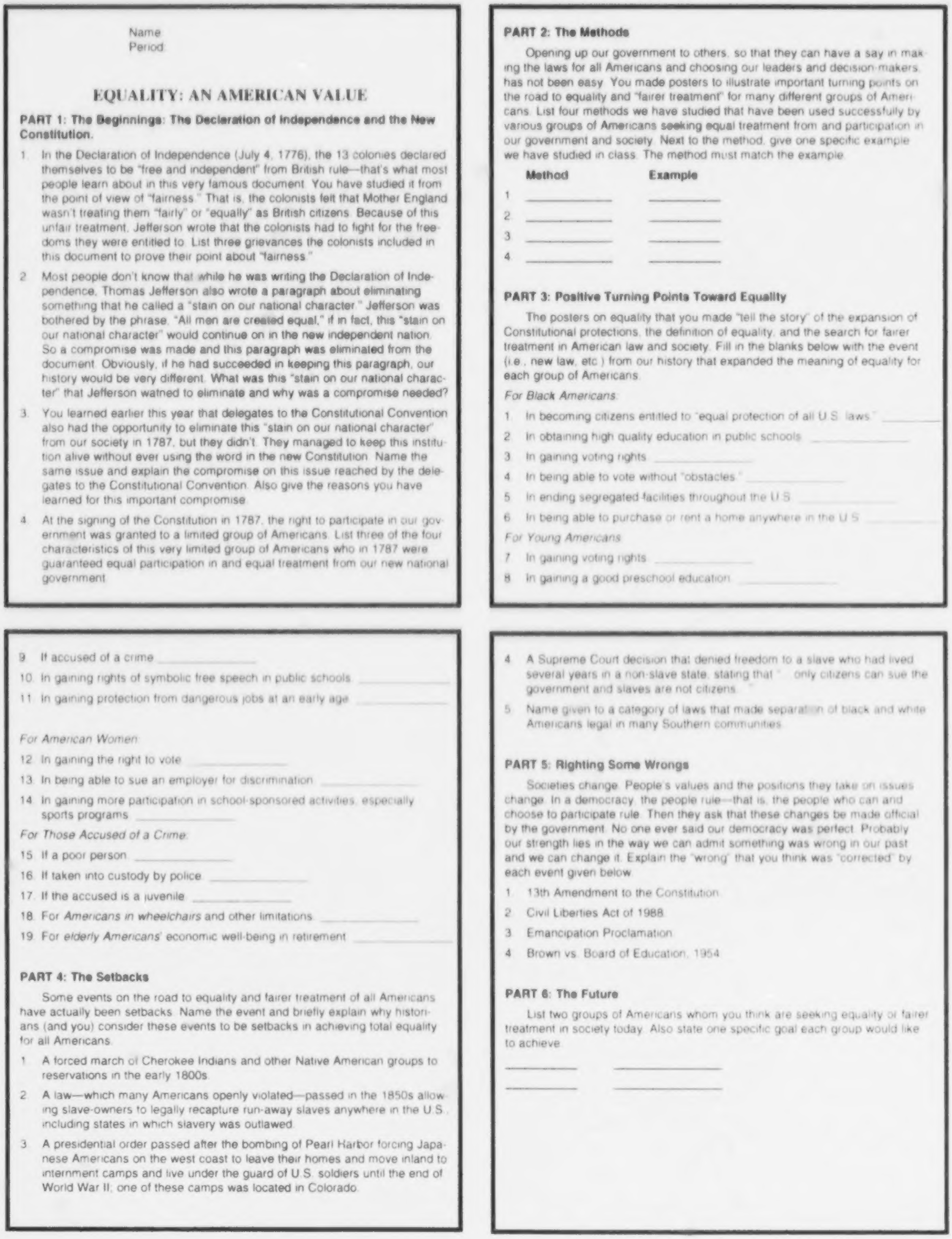
___ **Proficient:** Personal reflection is obvious, but does not flow from analysis of events depicted in posters.

___ **Basic:** Personal reflection is not obvious and is not related to analysis of events depicted in selected posters.

___ **Pre-Basic:** No personal statements are given, no analysis, or statements given are too simplistic and elementary.

Comments:

Figure 4.5. Reflection group assignment.



Name
Period

EQUALITY: AN AMERICAN VALUE

PART 1: The Beginnings: The Declaration of Independence and the New Constitution.

1. In the Declaration of Independence (July 4, 1776), the 13 colonies declared themselves to be "free and independent" from British rule—that's what most people learn about in this very famous document. You have studied it from the point of view of "fairness." That is, the colonists felt that Mother England wasn't treating them "fairly" or "equally" as British citizens. Because of this unfair treatment, Jefferson wrote that the colonists had to fight for the freedoms they were entitled to. List three grievances the colonists included in this document to prove their point about "fairness."
2. Most people don't know that while he was writing the Declaration of Independence, Thomas Jefferson also wrote a paragraph about eliminating something that he called a "stain on our national character." Jefferson was bothered by the phrase, "All men are created equal," if in fact, this "stain on our national character" would continue on in the new independent nation. So a compromise was made and this paragraph was eliminated from the document. Obviously, if he had succeeded in keeping this paragraph, our history would be very different. What was this "stain on our national character" that Jefferson watned to eliminate and why was a compromise needed?
3. You learned earlier this year that delegates to the Constitutional Convention also had the opportunity to eliminate this "stain on our national character" from our society in 1787, but they didn't. They managed to keep this institution alive without ever using the word in the new Constitution. Name the same issue and explain the compromise on this issue reached by the delegates to the Constitutional Convention. Also give the reasons you have learned for this important compromise.
4. At the signing of the Constitution in 1787, the right to participate in our government was granted to a limited group of Americans. List three of the four characteristics of this very limited group of Americans who in 1787 were guaranteed equal participation in and equal treatment from our new national government.

PART 2: The Methods

Opening up our government to others, so that they can have a say in making the laws for all Americans and choosing our leaders and decision-makers, has not been easy. You made posters to illustrate important turning points on the road to equality and "fairer treatment" for many different groups of Americans. List four methods we have studied that have been used successfully by various groups of Americans seeking equal treatment from and participation in our government and society. Next to the method, give one specific example we have studied in class. The method must match the example.

	Method	**Example**
1	__________	__________
2	__________	__________
3	__________	__________
4	__________	__________

PART 3: Positive Turning Points Toward Equality

The posters on equality that you made "tell the story" of the expansion of Constitutional protections, the definition of equality, and the search for fairer treatment in American law and society. Fill in the blanks below with the event (i.e., new law, etc.) from our history that expanded the meaning of equality for each group of Americans.

For Black Americans:

1. In becoming citizens entitled to "equal protection of all U.S. laws." __________
2. In obtaining high quality education in public schools __________
3. In gaining voting rights __________
4. In being able to vote without "obstacles." __________
5. In ending segregated facilities throughout the U.S. __________
6. In being able to purchase or rent a home anywhere in the U.S. __________

For Young Americans:

7. In gaining voting rights __________
8. In gaining a good preschool education __________
9. If accused of a crime __________
10. In gaining rights of symbolic free speech in public schools __________
11. In gaining protection from dangerous jobs at an early age __________

For American Women:

12. In gaining the right to vote __________
13. In being able to sue an employer for discrimination __________
14. In gaining more participation in school-sponsored activities, especially sports programs __________

For Those Accused of a Crime:

15. If a poor person __________
16. If taken into custody by police __________
17. If the accused is a juvenile __________
18. For *Americans in wheelchairs* and other limitations __________
19. For *elderly Americans'* economic well-being in retirement __________

PART 4: The Setbacks

Some events on the road to equality and fairer treatment of all Americans have actually been setbacks. Name the event and briefly explain why historians (and you) consider these events to be setbacks in achieving total equality for all Americans.

1. A forced march of Cherokee Indians and other Native American groups to reservations in the early 1800s.
2. A law—which many Americans openly violated—passed in the 1850s allowing slave-owners to legally recapture run-away slaves anywhere in the U.S., including states in which slavery was outlawed.
3. A presidential order passed after the bombing of Pearl Harbor forcing Japanese Americans on the west coast to leave their homes and move inland to internment camps and live under the guard of U.S. soldiers until the end of World War II; one of these camps was located in Colorado.
4. A Supreme Court decision that denied freedom to a slave who had lived several years in a non-slave state, stating that "... only citizens can sue the government and slaves are not citizens ..."
5. Name given to a category of laws that made separation of black and white Americans legal in many Southern communities.

PART 5: Righting Some Wrongs

Societies change. People's values and the positions they take on issues change. In a democracy, the people rule—that is, the people who can and choose to participate rule. Then they ask that these changes be made official by the government. No one ever said our democracy was perfect. Probably our strength lies in the way we can admit something was wrong in our past and we can change it. Explain the "wrong" that you think was "corrected" by each event given below.

1. 13th Amendment to the Constitution
2. Civil Liberties Act of 1988
3. Emancipation Proclamation
4. Brown vs. Board of Education, 1954

PART 6: The Future

List two groups of Americans whom you think are seeking equality or fairer treatment in society today. Also state one specific goal each group would like to achieve.

__________ __________
__________ __________

Figure 4.6. Traditional assessment for "Turning Points" lesson.

Reflection/Exercise

How would you rate Jackie regarding her skills in self-assessment? Do her answers cause you to reconsider your critique?

Rubric Revision

As Jackie's story illustrates, the results you obtain the first time you use an assessment task and its accompanying rubric will again cause you to examine your goals, your instructional strategies, and the rubric itself. Through this reflection process, Jackie reaffirmed that she believed both the content and thinking to be important, decided that some revision of her teaching strategy was needed, and determined to make changes in the rubric. She also identified an issue that she wanted to pursue through an action research project.

Before determining what changes to make in a rubric, it is important to examine goals and instruction. Teachers who are just beginning to use rubrics sometimes assign too much credit (and blame) to the rubric, which generally is not solely responsible for student success or failure in achieving high standards. However, the results of your first use of a rubric will usually provide information that will help you improve the rubric—and perhaps provide insights into your use of the rubric.

As a first step in determining what changes may be needed, compare student work to the rubric. Write down the elements that caused you to assign a given rating to the work. Were the elements you emphasized given adequate weight in the rubric? If not, does the rubric need revision, or do you need to be more aware of other elements as you score student work?

Again look at the student work to see if there are any important elements that are not reflected in the rubric. Perhaps students learned an important concept that you did not originally target in your instructional planning but now believe to be important. If so, you may need to rework the rubric to reflect this additional learning.

Rethink your scale. Do your descriptions adequately differentiate between levels of performance? Gathering information from students may be useful in this respect. Did students think the differences between the levels of performance were clear enough? Was any of the terminology unclear? Was the feedback provided using the rubric helpful to them in identifying how to improve their work?

© SSEC

Once you have revised your rubric, try rescoring several samples of student work, or ask a colleague to score several samples using the new rubric. If you have questions about the effectiveness of the rubric or the assessment task, think about an action research project in which you could pursue those questions. Your district assessment specialist may be able to help you think through the design of such a project.

Then try the rubric again!

Reflection/Exercise

A high school teacher would like to "beef up" the criteria for posters that his students develop in a world problems class. Based on your reflections on Jackie's experience, what advice would you give this teacher?

Unit Poster

Based on the material provided in class, construct a poster or display that communicates an idea, theme, concern, problem, solution to human over-population. The use of different colors, textures, and materials is encouraged.

The class will participate in the evaluation process using a "poster evaluation sheet."

Criteria:

1. Clarity of expression
2. Appropriateness of content
3. Attractive appearance
4. Creativity and originality

© SSEC

Chapter 5: Public Issues Discussion as an Authentic Assessment

If you agree with Fred Newmann that the main task for democratic citizens is to deliberate with other citizens about the nature of the public good and how to achieve it, then it's likely that you have a commitment to discussion as an integral part of the instructional and assessment process in the social studies classroom. Civic educators are challenged by those who analyze and shape our political culture to improve public talk by raising the standards for discussion in their classrooms. Commentators from all points on the political spectrum are calling for more civility in our public discourse—Jesse Jackson and Newt Gingrich want to bring people with radically different beliefs together to talk with each other—and school boards and members of the U.S. Congress are attending seminars to improve their ability to talk publicly about the issues before them. Picking up on this public concern about discourse, professional journals have dedicated entire issues to rationales and strategies for reinvigorating civic education by increasing discussion and democratic practice in the classroom ("Teaching Controversial Issues" 1996; "Education for Democratic Life" 1997).

This chapter explores some of the issues and promising ideas for preparing citizens to participate in discussions about issues of public concern. Research studies document many positive effects of learning and practicing civic discourse in the classroom: (1) more positive political attitudes, (2) higher participation in political activities, (3) higher likelihood of following current events in the media, (4) higher participation in discussions of political matters with their friends and family, (5) positive feelings of political interest, confidence, and trust, and (6) improved civic tolerance and increased interest in social issues (Hahn 1996; Harwood and Hahn 1990). In addition, students' perception of the teacher's willingness to discuss ideas changes.

This research is not necessarily reflective of classroom practice. Many factors limit the effective use of discussion in the classroom. Teachers who recognize discussion's potential as authentic work struggle to structure discussions that are more than a sharing of unsubstantiated opinions. Others limit discussion because classroom management issues emerge during discussion or because they do not know how to use discussion to teach content—their primary interest. Some are concerned that involving students in discussion of controversial issues will offend parents.

© SSEC

Some of the barriers to effective class discussion can be addressed once teachers have a clear definition of what good discussion is and what it is not, or as Walter Parker puts it—making a distinction between deliberation and blather. Researchers who have investigated teacher conceptions of discussion report that many teachers believe they are leading a discussion of an issue when they are merely quizzing students about a reading or current event through a form of "pseudo-discussion" that more accurately should be characterized as a recitation, a quiz show, or bull session (Roby 1988; Larsen and Parker 1994). In calling upon teachers to provide students with rich opportunities for students to deliberate together, Walter Parker defines the work of the teachers who use discussion: "expect, teach, and model competent deliberation that is rooted in knowledge" (Parker 1997).

This chapter begins by looking at a framework for helping teachers clarify their criteria for what makes an effective classroom discussion, as well as identifying what learning they hope to develop and assess through discussion. It then presents one approach to public issues discussion, that developed by the Harvard Social Studies Project of the 1960s, followed by several case studies. Chapter 6 looks at two other approaches to discussion—the Socratic seminar and the structured academic controversy method developed by David and Roger Johnson.

While there are many purposes for discussion, the focus of this chapter is on discussion as a means of clarifying public controversy and then on more specific learnings that are intended to result from such discussions.

Defining What Makes an Effective Discussion

For teachers who are looking for clarity in what "doing democracy" or civil discourse in the classroom should look like, Diana Hess, a project consultant on models of discussion, proposes that teachers must concern themselves with five basic questions in planning discussion-based lessons:

- Why discuss?
- What to discuss?
- How to provide instruction?
- How to discuss?
- How to assess?

In the framework that she has developed as a basis for making decisions for setting up, facilitating/monitoring, and assessing what students are learning through discussion, Diana emphasizes three elements: selecting powerful issues, focusing the content of the discussion so that students develop deep understanding, and emphasizing student-to-student interaction and improving discussion skills.

Teachers who worked with Diana in a four-day institute, *Discussion for Democracy*, developed the criteria on effective classroom discussion outlined in Figure 5.1. As part of their study of models of deliberation,

Criteria for Structuring Effective Classroom Discussion

Planning/preparation

1. The discussion focuses on important content in the school curriculum.
2. All students can see one another (i.e., chairs are arranged in a circle).
3. Students have carefully prepared for the discussion.

During the discussion

4. Students relate foundational (background) knowledge (which can be personal narrative) to points raised during the discussion.
5. Participation is even and widespread.
6. Students are actively listening to their peers and the teacher.
7. Students are discussing directly with one another, not talking "through" the teacher.
8. Students are inviting the contributions of other students.
9. Specific points are discussed thoroughly enough to explore the meaning of ideas, as opposed to skipping rapidly from point to point, or alternating monologues.
10. Students ask one another to clarify or elaborate on their ideas.
11. The discussion is focused, even though it may deal with many different points.
12. Students challenge their own and others' statements.
13. Students seek multiple perspectives on complex ideas and issues.
14. Students and the teacher treat others with respect. At a minimum, this means no personal putdowns.
15. If students take a stand, it is later rather than early within the discussion process.

Following the discussion:

16. Students reflect on and evaluate the discussion overall, as well as their own participation.

Figure 5.1. Teacher-developed criteria for structuring effective classroom discussion.

each teacher had an opportunity to look closely at public issues discussion, Socratic seminars, and structured academic controversy by participating in a discussion and then reflecting on issues of teaching and learning that emerged for them as learners. Each teacher then selected one of the models that matched their goals and then planned, implemented, and assessed a discussion in the classroom. Each teacher made an audio/videotape of the discussion as a tool for reflecting on the progress of students in moving toward more successful discussion. Diana reviewed the tapes and provided feedback to the teachers as well.

Reflection/Exercise

If you were to develop your personal set of criteria, which items on the list would be most important? Least important? How would you organize your criteria for presentation to students?

Another initial step in improving classroom practice is formalizing the criteria for systematic feedback—articulating the basis by which you will measure students' ability to express their thinking about matters of civic importance and to construct and justify positions on public issues. Discussion is undoubtedly a commonly used and highly valued strategy in social studies classrooms, yet it is rarely assessed formally. A recent review of the literature revealed few articles on assessing discussions (Zola 1992; Parker 1996; Harris 1996). The reasons cited by teachers relate to uncertainty about *how* to assess as well as clarity about *what* to assess. The absence of formal evaluation causes many teachers and their students to undervalue discussion as an opportunity for developing substantive understanding of concepts and a means for practicing a wide range of reasoning skills.

One of the first issues that teachers must address in structuring assessment of discussion is matching the assessment with the objectives at which the discussion is directed. Are you interested in evidence of critical thinking? demonstrations of substantive understanding? demonstrations of procedural understanding (ability to move a discussion forward, set an agenda, respond to others)? Each purpose is important, as discussed below.

1. Discussion as a means for developing, practicing, and assessing critical thinking skills. Discussion of public issues does not easily lend itself to traditional testing since real-world problems rarely have simple right or wrong answers. Rather, many teachers are interested in assessing students' reasoning abilities. Robert Sternberg (1987) states that "it is best to think of critical thinking as developing depth in successive layers, without any limit to the possible depth one can achieve... The concept of mastery does not apply because there is no 'ceiling' to the level of performance... no matter how well someone thinks, everyone can stand improvement, and everyone can improve."

2. Discussion as a means of developing and assessing substantive understanding. In the real world of citizen participation and involvement, discussion may be the context in which we are most often called upon to present information. While discussion may provide an opportunity for students to develop substantive understanding of issues, it is probably not the most efficient way of measuring how much a student knows about a public issue. Essay exams and traditional tests would provide a better way for students to reveal their knowledge systematically. However, assessing understanding through discussion is important because it is the setting in which citizens are expected to communicate their understanding of complex issues. Thus, students need feedback on how effectively they convey content in this context. They need to know that opinions are not enough—that they must be supported by facts and reasoning. Accuracy, depth, and powerful examples are important.

3. Discussion as a means of developing and assessing skills of oral discourse (procedural understanding). When discussion is assessed, procedural abilities (behaviors both negative and positive) are the most

63

© SSEC

often assessed because they are clearly observable. These skills include responding positively to others, allowing others to speak, valuing others' opinions, listening to others. It is the lack of such skills that often prevents teachers from offering opportunities for students to have discussions. While these skills are easily observed, they are not easy to teach. Extensive opportunities to learn and practice must be provided before students' skills should be assessed or graded.

The Public Issues Approach

Debate has many valid purposes within politics and within civic education, but it is not always helpful within discussion. Unfortunately, students bring "debate" skills and derail discussion in their fervor to win arguments. Models set by *Firing Line* and other popular media support this view. Where do students experience the models of civic discourse that we want them to adopt? For that matter, where do teachers experience these models? If students see the goal as winning arguments rather than dialogue, they are likely to miss opportunities. Too often participants become opponents out to win rather than partners seeking understanding. According to Ronald Morris (1988), "Genuine dialogue is never easy; it requires a fundamental openness to the other, mutual listening and sharing. And perhaps most importantly, it requires a sense of humility, a sense that one can still grow in understanding and a sense that one can learn from others."

A video of a public issues discussion led by Diana Hess is available from SSEC.

Many teachers who value discussion over debate see the need to formally introduce the difference between the two formats. One teacher who favors discussion as a classroom strategy uses media clips for this purpose. Frank Lawrimec, of Bloomfield Hills, Michigan, tapes segments from *Firing Line* and *Washington Week in Review* and asks his students to analyze the advantages and disadvantages of each.

In the 1960s, the Harvard Social Studies Project developed a structured model in which students discussed persisting public issues using historical cases. The Public Issues model involves identifying areas of disagreement as being ethical or value questions, definitional issues, or fact-explanation issues. For each type of issue, particular strategies for resolving issues or advancing positions are available. Key among these strategies is the use of the analogy—a case that is similar to the case under discussion. Examining the distinctions among the cases helps discussants clarify their views on the original issue.

Steps in planning and implementing a public issues discussion include the following:

1. Select a policy issue. The success of policy discussion is often dependent on the type of issue selected. The best issues have several of the following characteristics:

    - Affects many people.

- Genuine opposing opinions exist regarding how it should be resolved.
- Involves a tension among significant democratic values and principles.
- Is a matter for collective governance and resolution.
- Has local, state, federal, and in some cases international connections.
- Is developmentally appropriate for students.
- Is an enduring issue that is integral to curricular outcomes.
- Is connected to the lives of students.
- Can be presented with readily available instructional resources.

2. Select cases that will help students think through the various definitional, factual, and ethical issues that are related to the larger issue. Issues should be expressed as questions so that students explore alternatives. Examples of questions are found in Figure 5.2. Collect or adapt materials for students. Help them prepare for the discussion by introducing the issue, questions, and cases for study. Note that students may generate many questions in addition to those you have prepared.

3. Set up the discussion so that students understand what is expected of them. Develop a climate conducive to discussion. This includes setting forth the criteria for the substantive and procedural aspects of the discussion. Many teachers involve students in establishing the norms (e.g., careful listening, respect, all members should contribute, feelings of others should be considered). Some students will need more direct instruction than others.

4. Establish yourself as a facilitator rather than the expert through which all comments flow. Present the issue by concentrating on one aspect of the case or by finding out what direction the participants want to take the discussion. The teacher as facilitator will need to restate issues, summarize, turn statements into questions.

5. Help the group set an agenda for the discussion and make transitions from one point to another. Address roadblocks as they come up. Two of the most challenging are the disengaged student and those who want to win arguments. Remind students that the goal is to understand the complexity of the situation rather than master tidbits of knowledge or "win."

6. Following the discussion, help the group consider both the content and process of the discussion. What issues have been discussed, positions taken, agreements reached. Assess what has been learned and plan (as you would when developing writing skills) how improvements can be made in future discussions.

© SSEC

Sample Questions for a Public Issues Discussion on Physician-Assisted Suicide

Policy Issue: Should physician-assisted suicide be banned?

Fact/Explanation Issues:

- Who opposes/supports physician-assisted suicide and why?
- How many terminably ill people need physician help to commit suicide?
- If physician-assisted suicide is legalized, will elderly or ill people feel pressured to end their lives?

Definitional Issues:

- What do we mean by *terminably ill? Mentally competent?*
- What is the difference between passive and active euthanasia?

Ethical Issues:

- Should a terminally ill, competent adult who is experiencing pain have the right to hasten death?
- Is suicide morally wrong?

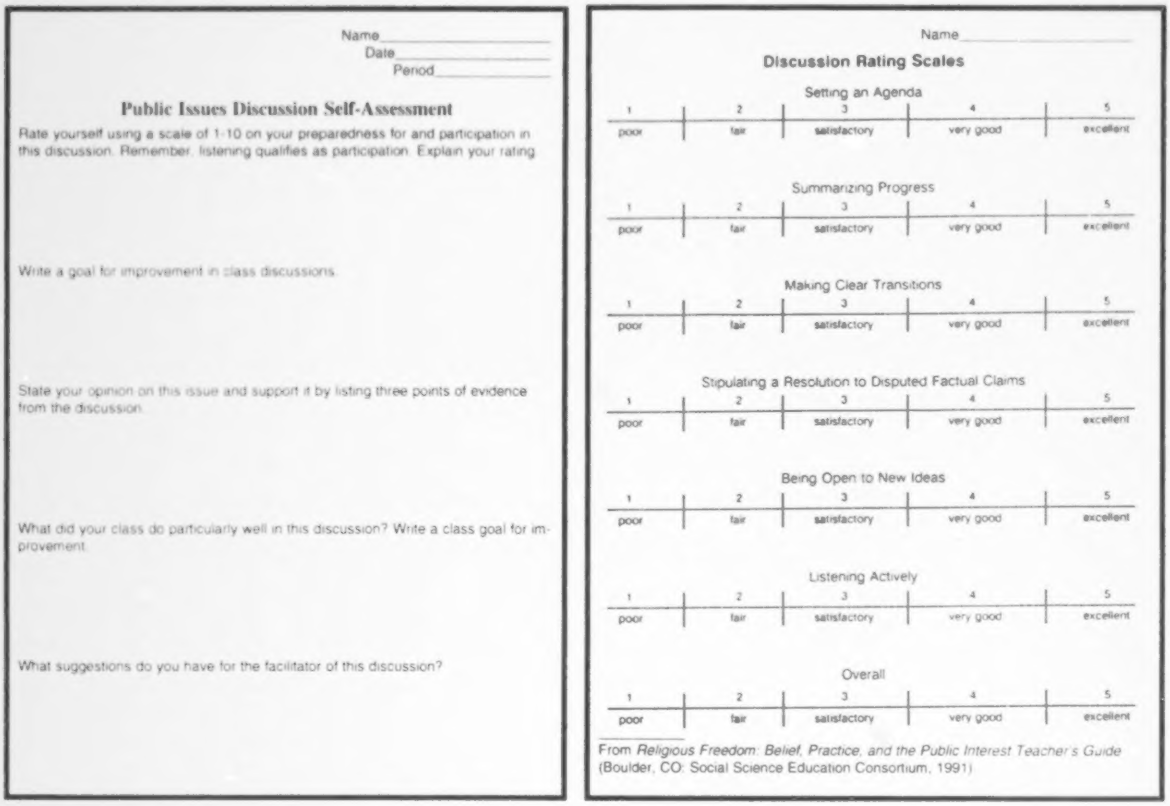
Figure 5.2. Sample fact/explanation, definitional, and ethical questions.

Assessment tools selected by teachers vary with the purpose for assessment; this is particularly true when discussion is the content. Many teachers, particularly those reluctant to **grade** discussion skills, are more inclined to use self- and group-assessment tools (Figure 5.3) as a means for helping individuals and the group set targets for improvement. Other teachers feel that it is important to translate assessments into grades. Teachers with this goal often develop point systems or other mechanisms for giving students credit for specific contributions (Figure 5.4).

While these approaches have merit, they are inadequate if the goal is to give students systematic qualitative feedback designed to help them progress in their ability to discuss public issues over time. In thinking about the need for assessing students' discussion skills with respect to clearly stated standards, David Harris, Social Studies Consultant for the Oakland County (MI) Schools, has produced a handbook that can guide teachers in new directions for teaching and assessing public issues discussion. The training packet is designed for use by classroom teachers but also by policy makers and assessment specialists who wish to train raters to score videotapes of student discussions. The training packet is published as part of the *Handbook on Teaching Social Issues*.

As a consultant to this project, David provided a starting point for teachers to reflect on their classroom practice and to improve their ability to clarify expectations to students and assess their progress systematically. The training model that David used in the workshop for this

© SSEC



Name________________
Date________________
Period________________

Public Issues Discussion Self-Assessment

Rate yourself using a scale of 1-10 on your preparedness for and participation in this discussion. Remember, listening qualifies as participation. Explain your rating.

Write a goal for improvement in class discussions.

State your opinion on this issue and support it by listing three points of evidence from the discussion.

What did your class do particularly well in this discussion? Write a class goal for improvement.

What suggestions do you have for the facilitator of this discussion?

Name________________

Discussion Rating Scales

Setting an Agenda

1	2	3	4	5
poor	fair	satisfactory	very good	excellent

Summarizing Progress

1	2	3	4	5
poor	fair	satisfactory	very good	excellent

Making Clear Transitions

1	2	3	4	5
poor	fair	satisfactory	very good	excellent

Stipulating a Resolution to Disputed Factual Claims

1	2	3	4	5
poor	fair	satisfactory	very good	excellent

Being Open to New Ideas

1	2	3	4	5
poor	fair	satisfactory	very good	excellent

Listening Actively

1	2	3	4	5
poor	fair	satisfactory	very good	excellent

Overall

1	2	3	4	5
poor	fair	satisfactory	very good	excellent

From *Religious Freedom: Belief, Practice, and the Public Interest Teacher's Guide* (Boulder, CO: Social Science Education Consortium, 1991)

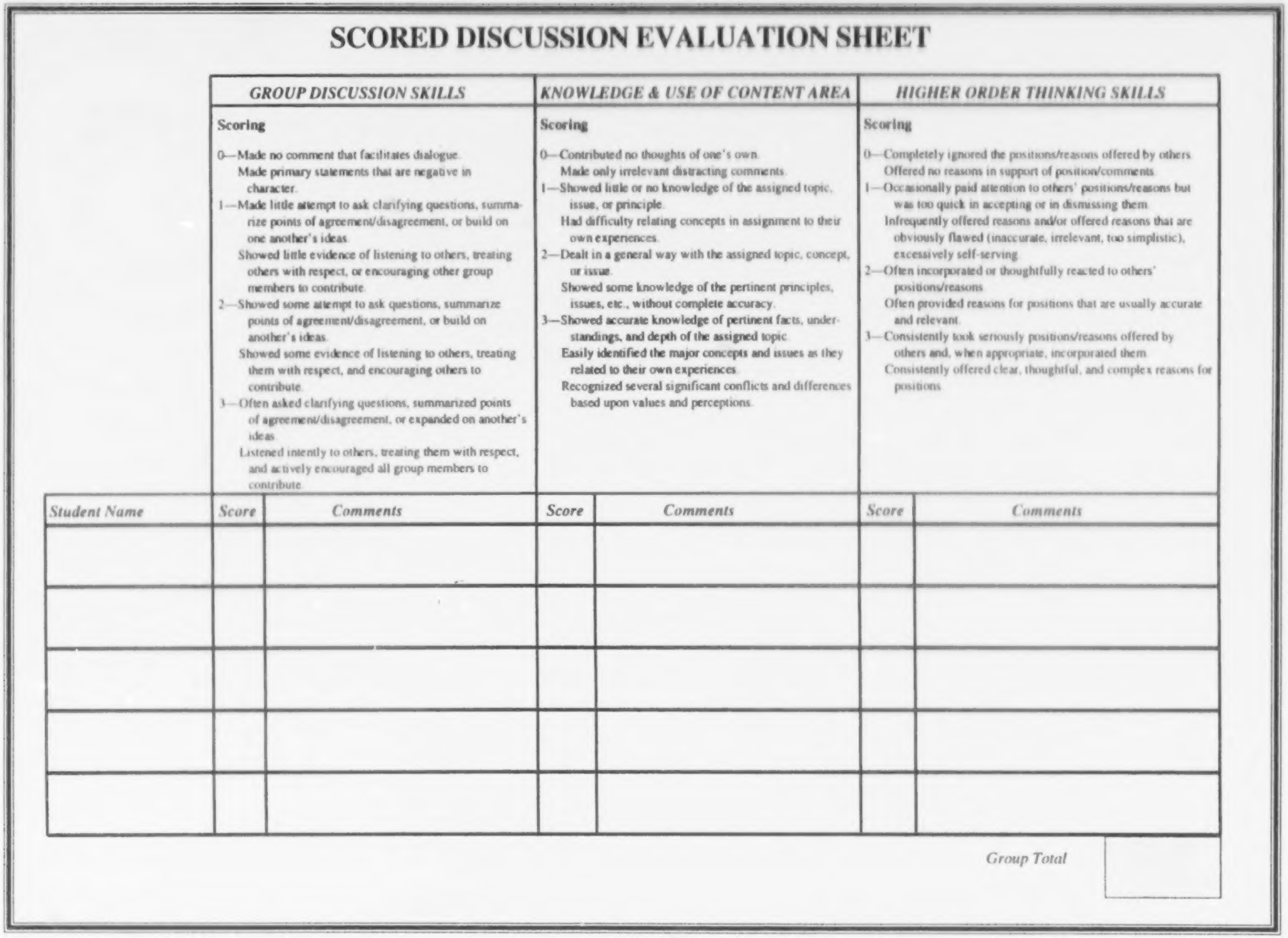
Figure 5.3. Self- and group-assessment tools.

project involved introducing scoring criteria in two forms. The first chart (Figure 5.5) presents the performance criteria in a format that can be used in discussing the qualities of a good discussant, while the second chart (Figure 5.6) uses those criteria as the basis of a scoring rubric. Once teachers were familiar with the criteria and format of the scoring rubric, David explained that he wanted teachers to observe individual students participating in videotaped small-group discussion of a public issue. Participants were asked to score these students and then, following the videotape, to compare and discuss their ratings. The discussion that followed viewing and rating by individuals indicated some agreement on the quality of student performance and some disagreements that led to important questions that are worthy of discussion at all levels of the educational system:

- What are the most important outcomes to assess?
- Should the ability to participate constructively in a civic discussion be expected of all students? Is it fair to assess the oral participation of quiet or shy students? Does oral discourse favor some cultural groups and disadvantage others? Are boys and girls equally capable of participating in discussions of public issues?

© SSEC

© SSEC

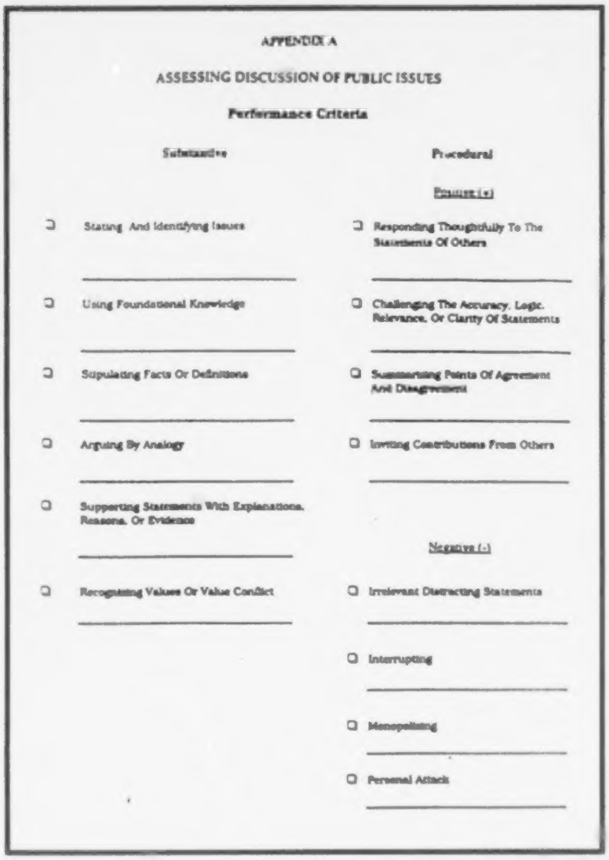


SCORED DISCUSSION EVALUATION SHEET

	GROUP DISCUSSION SKILLS		*KNOWLEDGE & USE OF CONTENT AREA*		*HIGHER ORDER THINKING SKILLS*	
	Scoring 0—Made no comment that facilitates dialogue. Made primary statements that are negative in character. 1—Made little attempt to ask clarifying questions, summarize points of agreement/disagreement, or build on one another's ideas. Showed little evidence of listening to others, treating others with respect, or encouraging other group members to contribute. 2—Showed some attempt to ask questions, summarize points of agreement/disagreement, or build on another's ideas. Showed some evidence of listening to others, treating them with respect, and encouraging others to contribute. 3—Often asked clarifying questions, summarized points of agreement/disagreement, or expanded on another's ideas. Listened intently to others, treating them with respect, and actively encouraged all group members to contribute.		**Scoring** 0—Contributed no thoughts of one's own. Made only irrelevant distracting comments. 1—Showed little or no knowledge of the assigned topic, issue, or principle. Had difficulty relating concepts in assignment to their own experiences. 2—Dealt in a general way with the assigned topic, concept, or issue. Showed some knowledge of the pertinent principles, issues, etc., without complete accuracy. 3—Showed accurate knowledge of pertinent facts, understandings, and depth of the assigned topic. Easily identified the major concepts and issues as they related to their own experiences. Recognized several significant conflicts and differences based upon values and perceptions.		**Scoring** 0—Completely ignored the positions/reasons offered by others. Offered no reasons in support of position/comments. 1—Occasionally paid attention to others' positions/reasons but was too quick in accepting or in dismissing them. Infrequently offered reasons and/or offered reasons that are obviously flawed (inaccurate, irrelevant, too simplistic), excessively self-serving. 2—Often incorporated or thoughtfully reacted to others' positions/reasons. Often provided reasons for positions that are usually accurate and relevant. 3—Consistently took seriously positions/reasons offered by others and, when appropriate, incorporated them. Consistently offered clear, thoughtful, and complex reasons for positions.	
Student Name	*Score*	*Comments*	*Score*	*Comments*	*Score*	*Comments*

Group Total ☐

Figure 5.4. Discussion rubric developed by teacher Roger Westman.



APPENDIX A

ASSESSING DISCUSSION OF PUBLIC ISSUES

Performance Criteria

Substantive

☐ Stating And Identifying Issues

____

☐ Using Foundational Knowledge

____

☐ Stipulating Facts Or Definitions

____

☐ Arguing By Analogy

____

☐ Supporting Statements With Explanations, Reasons, Or Evidence

____

☐ Recognizing Values Or Value Conflict

____

Procedural

Positive (+)

☐ Responding Thoughtfully To The Statements Of Others

____

☐ Challenging The Accuracy, Logic, Relevance, Or Clarity Of Statements

____

☐ Summarizing Points Of Agreement And Disagreement

____

☐ Inviting Contributions From Others

____

Negative (-)

☐ Irrelevant Distracting Statements

____

☐ Interrupting

____

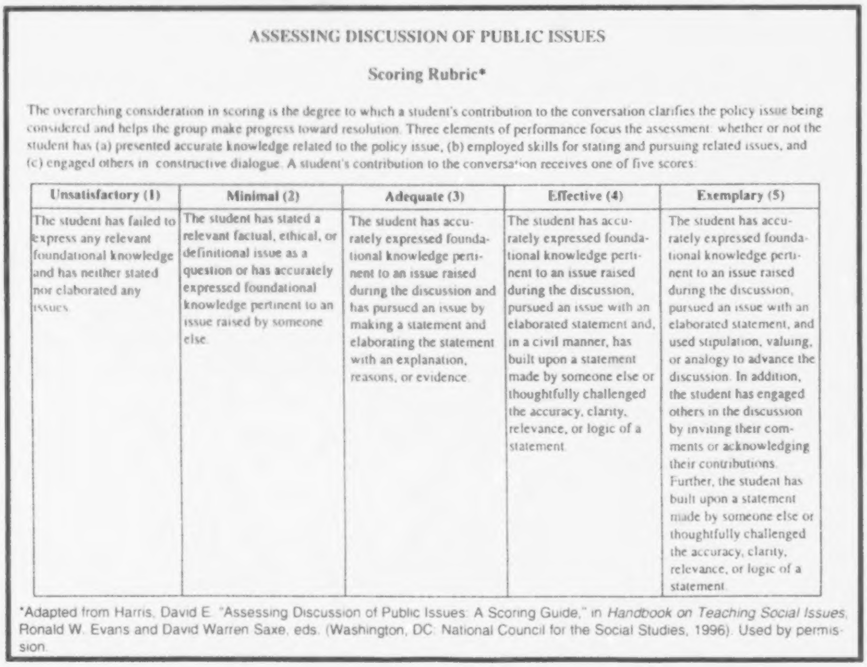
☐ Monopolizing

____

☐ Personal Attack

____

Figure 5.5. Performance criteria for discussion of a public issue.



ASSESSING DISCUSSION OF PUBLIC ISSUES

Scoring Rubric*

The overarching consideration in scoring is the degree to which a student's contribution to the conversation clarifies the policy issue being considered and helps the group make progress toward resolution. Three elements of performance focus the assessment: whether or not the student has (a) presented accurate knowledge related to the policy issue, (b) employed skills for stating and pursuing related issues, and (c) engaged others in constructive dialogue. A student's contribution to the conversation receives one of five scores:

Unsatisfactory (1)	Minimal (2)	Adequate (3)	Effective (4)	Exemplary (5)
The student has failed to express any relevant foundational knowledge and has neither stated nor elaborated any issues.	The student has stated a relevant factual, ethical, or definitional issue as a question or has accurately expressed foundational knowledge pertinent to an issue raised by someone else.	The student has accurately expressed foundational knowledge pertinent to an issue raised during the discussion and has pursued an issue by making a statement and elaborating the statement with an explanation, reasons, or evidence.	The student has accurately expressed foundational knowledge pertinent to an issue raised during the discussion, pursued an issue with an elaborated statement and, in a civil manner, has built upon a statement made by someone else or thoughtfully challenged the accuracy, clarity, relevance, or logic of a statement.	The student has accurately expressed foundational knowledge pertinent to an issue raised during the discussion, pursued an issue with an elaborated statement, and used stipulation, valuing, or analogy to advance the discussion. In addition, the student has engaged others in the discussion by inviting their comments or acknowledging their contributions. Further, the student has built upon a statement made by someone else or thoughtfully challenged the accuracy, clarity, relevance, or logic of a statement.

*Adapted from Harris, David E. "Assessing Discussion of Public Issues: A Scoring Guide," in *Handbook on Teaching Social Issues*, Ronald W. Evans and David Warren Saxe, eds. (Washington, DC: National Council for the Social Studies, 1996). Used by permission.

Figure 5.6. Rubric for scoring public issues discussions.

- How can the discussion skills embodied in the performance criteria be taught? How should the teacher model these discussion skills, and how can they be practiced by students?
- How can student discussion be captured for analysis? Is it necessary to videotape a discussion? Could an audiotape be scored or could a live discussion be scored while it occurs?

Teachers responded very positively to Harris's training model. The modeling and discussion with peers motivated several participants to formalize criteria and assessment of discussion in their classrooms. Generally, the teachers felt that the Harris model needed adaptation—particularly simplification—for their classrooms. Harris's model is something they will strive for by building from more basic and discrete statements of skills.

Presented below are case studies in how and *why* people have adapted David's model. These stories are offered to inspire teachers to:

- Use real public issues that arise within the school setting, the local community, the state, the nation, or elsewhere in the world.
- Provide opportunities for youth to participate in public issues discussion.
- Develop assessment techniques to help students state ideas with precision and clarity and progress toward constructing a thoughtful position on a question of public policy.

Case Studies in Discussion of Public Issues

Case 1: Linking Public Issues Discussion to State Standards and Course Outcomes

Citizens in the state of Michigan take seriously the goal of preparing youth to engage in civic discourse. The state's Social Studies Content Standards establish public discourse as an academic outcome all students are expected to achieve. By the end of high school, it is expected that

> Students will engage each other in elaborated conversations that deeply examine public policy issues and help to make reasoned, informed decisions.

Paul Dain's students at Andover High School in Bloomfield Hills (an affluent suburb of Detroit) have responded very positively to the expectation that they demonstrate their proficiency in discussing important public issues. Several years ago, Dain decided to focus on public issues discussion as an instructional strategy and a course outcome when he revamped his one-semester senior-level government class. In the process, he linked each unit—Foundations of American Government, Legislative, Executive, and Judicial Branches, and State and Local Government—to specific Michigan civic content standards and assessed student learning with both traditional tests and quizzes as well as more authentic assessments. To receive credit for the course, Dain's students demonstrate what they know about government by writing letters to public officials, making persuasive speeches, writing persuasive essays, and participating in a public issues discussion as well as through essay and short-answer exams.

Paul's motivation for focusing on discussion as an instructional strategy goes far beyond preparing his students to meet state expectations. He cites several benefits to an increased emphasis on discussion:

> *Students who have an opportunity to experience and practice discussion, think and talk in paragraphs instead of single words—especially when working in small groups. Over time they develop confidence in speaking in front of their classmates. The most amazing outcome is that the practices learned in structured public issues discussion carry over into everyday class attitude and behavior. Students listen and learn better from other kids. I give far fewer lectures because students develop a more complete understanding of the content through discussion. The discussion format also provides me with an authentic way of assessing their skills and understanding and targeting the areas where individual students need help.*

Paul relies heavily on David Harris's work in assessing public issues discussion to introduce his students to the substantive and procedural aspects of discussion. Paul draws from the Harris guide to illustrate each criterion for a good public issues discussion through a hypothetical transcript in which students discuss a public issue. Paul's students read segments of the transcript aloud and then discuss the criterion illustrated. With each example, Paul asks his students to extend the discussion with further examples of whatever is being discussed (e.g., using foundational knowledge or elaborating a statement with an explanation).

Paul works with a range of student abilities (basic, regular, and advanced placement) within each of his classes and finds that all levels of students appreciate this introduction to what a good discussion looks like. He systematically introduces students to discussion by emphasizing two principles: "First, have something of substance to contribute, and secondly, communicate ideas by avoiding negative behaviors and advancing the positive. I tell my students, you should be able to disagree without being disagreeable."

He then reviews with his students the scoring rubric that he has adapted from the Harris model (Figure 5-7). Paul adapted the Harris rubric for his classroom in several ways. He overlays his point system onto the various levels within the Harris guide and provides a scale within each level so that he can make a judgment call based on the

ASSESSING DISCUSSION OF PUBLIC ISSUES: SCORING RUBRIC

The overarching consideration in scoring is the degree to which a student's contribution clarifies the policy issue being considered and helps the group make progress toward resolution. Three elements of performance focus the assessment: whether or not the student has (1) presented accurate knowledge related to the policy issue, (b) employed skills for stating and pursuing related issues, and (3) engaged others in constructive dialogue. A student's contribution to the conversation receives one of five scores:

UNSATISFACTORY (below 60%)
The student has failed to express any relevant foundational knowledge and has neither stated nor elaborated any issues.

MINIMAL (60 or 65%)
The student has stated a relevant factual, ethical, or definitional issue as a question or has accurately expressed relevant foundational knowledge pertaining to an issue raised by someone else.

ADEQUATE (70 or 75%)
(1) The student has accurately expressed relevant foundational knowledge pertaining to an issue raised during discussion, (2) pursued an issue by making a statement and elaborating the statement with an explanation, reasons, or evidence.

EFFECTIVE (80, 85,or 90%)
(1) The student has accurately expressed relevant foundational knowledge pertaining to an issue raised during the discussion, (2) pursued an issue with at least one elaborated statement, and (3) in a civil manner, has responded to a statement made by someone else by challenging its accuracy, clarity, relevance, or logic.

EXEMPLARY (95 or 100%)
(1) The student has accurately expressed relevant foundational knowledge pertaining to an issue raised during the discussion, (2) pursued an issue with an elaborated statement, and (3) has used stipulation, valuing, or analogy to advance the discussion. In addition (4) the student has engaged others in the discussion by inviting their comments or acknowledging their contributions and by (5) constructively challenging the accuracy, clarity, relevance, or logic of statements made. The caliber of this performance would merit presentation as an outstanding example of engaging civic discourse by a student.

---

*Specific percentage to be based on quality of performance.

**5% deduction for each negative procedure observed.

Figure 5.7. Paul Dain's discussion rubric (adapted from Harris).

quality of an analogy, for example. He also tries to personalize his feedback with comments. His grading policy is closely correlated to his expectations. Students understand what will cause them to win or lose points with the grading scale.

On the day following the review of what a good discussion looks like, he reinforces his instruction by asking students to observe and score a discussion among a small group of students who volunteer to model a discussion in a "fishbowl" format. The third step in teaching the process is for all students to participate in a discussion as a practice session. The fourth discussion is one on which all students are graded. Students receive feedback on their roles in the discussion from the teacher as well as from all students who observed the discussion. While students' comments do not become part of a grade, Paul believes that the process of scoring other students helps students to internalize the criteria. Paul also videotapes discussions so that he can invite students to watch the tape with him if they have any questions about why they received the scores they did. Initially, he made the tapes because he did not trust his ability to observe and analyze everything he thought to be important. Because he is now experienced in giving feedback, he feels the videotape is optional for him.

As he has become more convinced of the value of discussion, Paul has made discussion a high stakes outcome in his class as well as a strategy for learning content. Paul uses a group discussion on an assigned topic as a final examination in American Government. Grades are based on the scoring rubric that was distributed, explained, and practiced throughout the course. Students prepare to discuss one of fourteen questions that Paul selects for the final (see box at right).

Example Discussion Questions: 1. What are the differences between a capitalistic, socialistic and mixed economy? Would the United States be better off if we had less socialism in our mixed economy? 2. What is lobbying? Where does it take place? How is it helpful? How is it harmful? Do you oppose greater regulation of lobbying? 3. How long do federal judges serve? Would it be better to appoint or elect federal judges?

As preparation for the test, students are encouraged to discuss the topics with other students and adults. A checklist guides students to consider whether they are prepared to draw in the discussion on (1) constitutional principles, the Preamble to the U.S. Constitution, the Declaration of Independence, (2) characteristics of a democracy, (3) knowledge from each unit of study, and (4) use analogies, values, and stipulations in thinking about the substance of the discussion.

Many teachers who shy from grading discussion because they feel that it is too subjective may be surprised to learn that Paul has fewer challenges on discussion grades than on other types of tests. Furthermore, students welcome the feedback from him and from other students. In an effort to provide differentiated instruction, Paul provided options for some students regarding a final test involving discussion. Basic students were offered a written test as an alternative. Only one student (a Japanese exchange student who was not fluent in English) chose to take the written test. AP students were given the option of taking the AP text, the discussion test, or both. All but two students chose to take both tests. Paul thinks the popularity of the discussion test is that students are confident that they can do well on the test and that they think it's an important way of showing what they know. Students also report that they spend more time preparing for the discussion final than for written tests.

Parents have also responded positively to Paul's emphasis on discussion. Several parents have been involved in discussions led by their son or daughter as part of an authentic assessment that Paul uses on occasion. He introduces the task by telling students that the best way to learn something is to teach it to others. He then assigns them the task of training and then leading a group of people (friends or family) in a discussion of a public issue. At least one student said that the discussion he led for his family was unlike any they had ever experienced. He was pleased to report that, with his leadership, there was a new level of civility—for the first time ever they could challenge ideas without interrupting each other.

Case 2: Student-Led Public Issues Discussions on State Initiatives and Referenda

A focus on assessment caused Carol Works, a teacher at McNary High School in Salem, Oregon, to take a close look at how she structured discussion in her government classes. As a result, public issues discussion has become more than an instructional strategy. In moving toward a classroom where discussion is central to learning, she has changed her practice in several ways. She begins by explicitly teaching the criteria for good discussion and using those criteria, she gives students immediate feedback on their progress. In addition, she presents her students with rich and varied opportunities to practice public discourse using real issues. She feels particularly successful in this area because several students have had opportunities to inform and influence others outside their classroom.

I've raised my standards for what it takes to have a good classroom discussion. I don't think social studies teachers should be satisfied with contributions from a half dozen students while the rest of the class listens or pretends to listen. No longer do I throw out an idea on a stimulating topic with the hope that my students will be engaged in lively discussion. Too often, the only outcome of this type of discussion is uneven and uninformed debate that reinforces or reveals the biases students bring to the classroom.

Realizing that discussion is an important outcome for civic education, I focus more time and effort on direct teaching of discussion skills. I begin by placing a great deal of emphasis on preparation. My classes read from a variety of sources including articles and polling data, conduct interviews, absorb audio and video clips so they have background for the discussion. I expect students to put aside their personal bias and postpone taking a stand until they have investigated all aspects and alternatives.

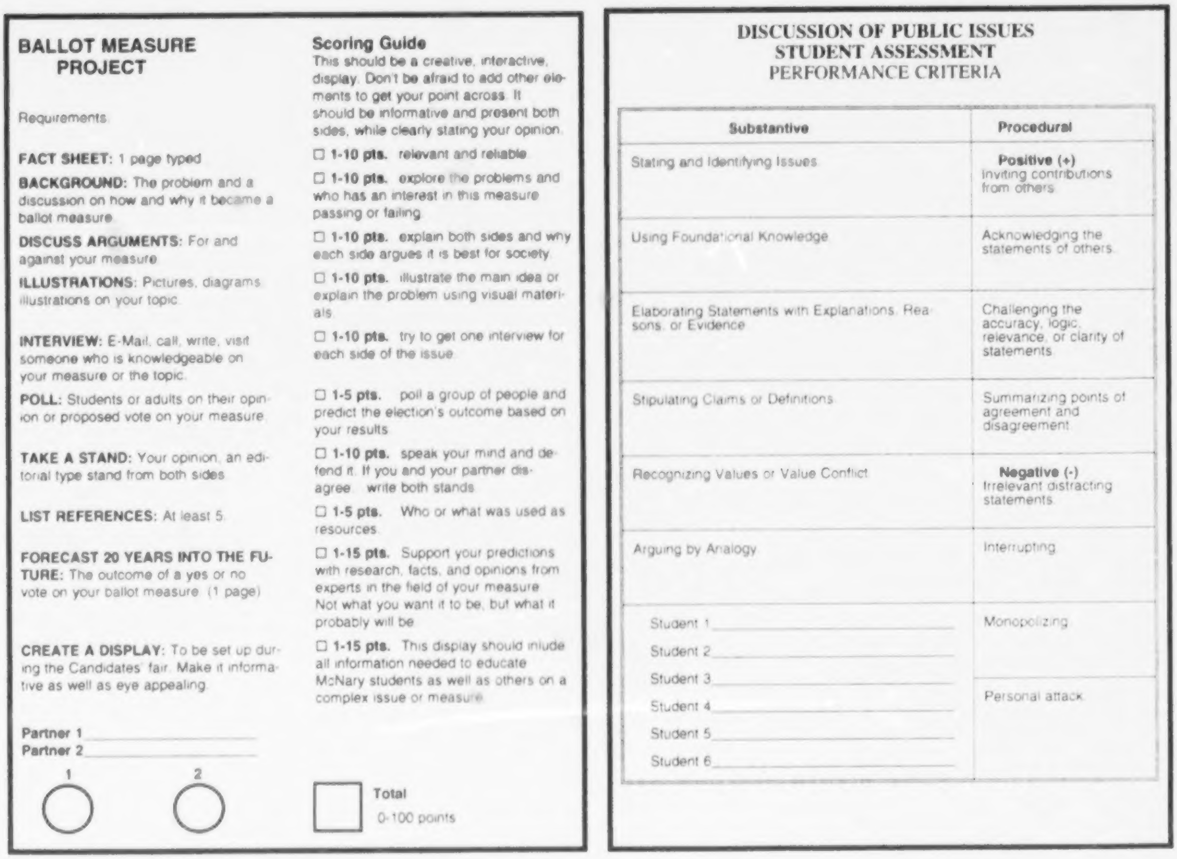
"I don't think social studies teachers should be satisfied with contributions from a half dozen students while the rest of the class listens or pretends to listen."

In rethinking her approach to teaching discussion, Carol relied on the criteria and examples for public issues discussion created by David Harris. Carol emphasizes the importance of carefully reading David's work.

I've reworked David's format for criteria to match my instruction and the outcomes I hold for my students (Figure 5-8). I introduce process (rules and procedures) first because the students grasp these concepts far more quickly than they do the substantive ones. I ask my students to practice the procedural criteria in small groups of four to six students with a peer scorer, using a current issue such as welfare reform. At first, students are somewhat stiff and artificial because they know that someone is watching to see how well they "encourage others" or "invite contributions," but eventually they become more natural and forget they are being scored. In my classes, introducing the procedural criteria and scoring can be completed in less than a period. Teaching the substantive criteria, on the other hand, takes more time and involves more extensive teacher explanation.

Carol draws directly from David's writing to give her students examples of what it means to stipulate to a fact or to argue by analogy. Again, she asks her students to participate in discussions of four to six students. This time the peer scorer listens for and records student examples of substantive criteria. In debriefing sessions, peer scorers read examples in students' exact words to illustrate the substantive criteria.

© SSEC



BALLOT MEASURE PROJECT

Requirements

FACT SHEET: 1 page typed

BACKGROUND: The problem and a discussion on how and why it became a ballot measure

DISCUSS ARGUMENTS: For and against your measure

ILLUSTRATIONS: Pictures, diagrams illustrations on your topic

INTERVIEW: E-Mail, call, write, visit someone who is knowledgeable on your measure or the topic.

POLL: Students or adults on their opinion or proposed vote on your measure

TAKE A STAND: Your opinion, an editorial type stand from both sides

LIST REFERENCES: At least 5

FORECAST 20 YEARS INTO THE FUTURE: The outcome of a yes or no vote on your ballot measure (1 page)

CREATE A DISPLAY: To be set up during the Candidates' fair. Make it informative as well as eye appealing.

Partner 1 ____________________
Partner 2 ____________________

1 ○ 2 ○

Scoring Guide

This should be a creative, interactive, display. Don't be afraid to add other elements to get your point across. It should be informative and present both sides, while clearly stating your opinion.

☐ **1-10 pts.** relevant and reliable

☐ **1-10 pts.** explore the problems and who has an interest in this measure passing or failing

☐ **1-10 pts.** explain both sides and why each side argues it is best for society

☐ **1-10 pts.** illustrate the main idea or explain the problem using visual materials

☐ **1-10 pts.** try to get one interview for each side of the issue

☐ **1-5 pts.** poll a group of people and predict the election's outcome based on your results

☐ **1-10 pts.** speak your mind and defend it. If you and your partner disagree write both stands

☐ **1-5 pts.** Who or what was used as resources.

☐ **1-15 pts.** Support your predictions with research, facts, and opinions from experts in the field of your measure Not what you want it to be, but what it probably will be

☐ **1-15 pts.** This display should inlude all information needed to educate McNary students as well as others on a complex issue or measure

☐ **Total** 0-100 points

DISCUSSION OF PUBLIC ISSUES
STUDENT ASSESSMENT
PERFORMANCE CRITERIA

Substantive	**Procedural**
Stating and Identifying Issues	**Positive (+)** Inviting contributions from others
Using Foundational Knowledge	Acknowledging the statements of others.
Elaborating Statements with Explanations, Reasons, or Evidence	Challenging the accuracy, logic, relevance, or clarity of statements
Stipulating Claims or Definitions	Summarizing points of agreement and disagreement
Recognizing Values or Value Conflict	**Negative (-)** Irrelevant distracting statements
Arguing by Analogy	Interrupting
Student 1 __________ Student 2 __________ Student 3 __________	Monopolizing
Student 4 __________ Student 5 __________ Student 6 __________	Personal attack

Figure 5.8. Carol Works's discussion rubric.

Carol chose the 1996 Oregon Ballot Measures as the issues for her government students. With 27 questions referred to the voters, Oregon citizens were asked to analyze and then vote on several complex issues. Carol's experience was very positive.

During the 1996 elections, I designed a project in which I asked students to evaluate ballot measures and draw conclusions through a step-by-step process. I held the following expectations for my students: Students will be able to lead and facilitate a discussion, they will have an in-depth understanding of one ballot measure, and they will prepare to vote on all ballot measures.

My sophomore government students first developed a thorough understanding of the 1996 Oregon Ballot Measures using the materials printed by the State of Oregon. (Oregon was second only to California in the number of issues on the ballot.) The next step was for each student to select one of the ballot measures and become an expert on that issue. They conducted extensive research using e-mail and telephone interviews with experts, as well as collecting data through the Internet, newspapers, and poll taking. As part of the project, students were re-

© SSEC

quired to present and defend all sides of an issue before taking a personal stand. Students also evaluated and reflected on their research during class discussion. These discussions were scored based on the procedural and substantive criteria adapted from David Harris. Discussions were videotaped and debriefed as preparation for presentations in other classrooms.

With my assistance, government students offered to present information and lead discussions about the ballot measures in other McNary High School classes as a public service to the community. The environmental studies class was particularly appreciative of presentations on environmentally related ballot measures. The students also participated in an all-school candidates' fair. During this event, one quiet sophomore student found his ballot measure presentation being challenged by a group of senior football players who were sitting in the front row chanting sound bites from an expensive media campaign promoting one side of the issue. I was pleased that his confident and balanced presentation of research quieted the partisans and brought applause from the audience.

In their final reflections on the project, students were surprised they had learned so much. Many reported that their busy parents were solicitous of their information and opinions on a range of issues when election day arrived.

Carol was pleased with the authenticity of the instruction and the assessment and satisfied with the evidence that her outcome was reached in large measure when she read reflections from her students:

> The ballot measure project was a great active way to become aware of the initiatives that could affect each of us. I really think that for once, me and my family understood each important measure and could make an educated judgment on how to vote.
>
> I think the ballot measure project helps educate kids on things that they normally wouldn't care about. When I first looked at the measure I was doing, I had my mind made up about how I was going to vote. So I thought! After studying and writing about it, my first thought turned out to be the wrong one, and my vote switched to the other side.

Case 3: A Middle School Public Issues Approach to a School-Based Issue

Monique Taylor, a teacher at North Middle School in Aurora, Colorado, seized the opportunity to build authentic civic education and assessment into the curriculum following a controversy over frog dissection. In the previous year, a student in a laboratory-based biology lesson, with abject indifference to directions, jokingly sliced his specimen in several pieces. Fellow students, upset by his behavior, spilled from

© SSEC

the classroom seeking consolation if not redress of grievances on behalf of the frog. Teachers found that they were of strong but mixed opinion on the necessity of using specimens with middle school students. As parental notes requesting that students be excused poured in, Monique developed a plan for a public issues discussion that would result in each of her 100 students' making a personal decision on the best way for them to learn the biology concepts imbedded in the lesson:

> *My social studies training convinced me that practice in civic decision-making would help my students gain a deep understanding of an issue that without intervention would be discussed at a superficial and overly emotional level. I began my instruction with a focus question: What do you need to know and do before deciding whether to learn about body parts through dissection? Students explored the definitional, fact-explanation, and ethical issues following presentations by a resource person from the American Humane Association who helped to assemble resource materials and to present the case for and against dissection from the perspective of animal rights advocates.*

The discussion of each group was videotaped. Each student received individual feedback on his/her performance and a grade. Monique was pleased with students' use of many of Harris's procedural criteria but realizes that arguing by analogy will take much more practice. Following the discussion, each student presented Monique with a written statement about their choice, supported with reasoning regarding the alternative they selected. "Most importantly, I was pleased that there was no whining, complaining, and throwing of frog parts," Monique concluded.

In reviewing several case studies of public issues discussion, David Harris listed several tips for teachers to consider in working to improve instruction and assessment related to discussion:

- Provide students with an adequate set of resources for understanding an issue. Use people as well as print and video material. On-line computer searches can provide access to news stories and other background sources. Insure that students have access to a range of perspectives to insure balance.
- Develop discussion-based lessons that place the students in the role of *citizens* making a decision on an issue of public concern. Role playing an official can have instructional value but does not provide students with the opportunity to construct and justify their own opinions.
- Try to state criteria in qualitative terms. It may be hard to explain the difference between "often takes" positions and "consistently takes" positions, for example. Students need to know the qualities that make a difference.
- Use a "fishbowl" format so that each student involved in the discussion is paired with an observer from the outer circle. The observer can provide very specific feedback to their partner.

© SSEC

- Consider using videotaping as a tool for assessing discussions and allowing students to complete self-assessments. Teachers have found there are many logistical problems in videotaping small-group discussions on a large scale. Try to find a small quiet room (an improvised studio) and appropriate equipment that picks up students' voices clearly. Secure the help of a school media specialist and/or teach students to set up the equipment and record their own discussions. One possibility is to have one small group in a class be excused to produce their video each day of a given week. With advance planning and persistence, problems with videotaping can be overcome.
- Investigate new technology. Messaging and conferencing capacities of computers enable students to have electronic conversation within the school and far beyond. The teaching method called "directed discussion," used with the original Harvard Public Issues series, comes to mind. Students in small groups conferenced and then one of them made a statement into a tape recorder (think e-mail). Students from another group discussed the opening statement and then sent a representative to record a reply. The groups alternated until all students had one or more chances to record a statement for their group. The result was a recorded dialogue, the quality of which could be assessed.

Reflection/Exercise

Reflect on the various case studies described above. Which approach and rubric would you be most likely to use in your class? Why? What instruction in discussion skills would students need before they could produce discussions that meet the standard described in the rubric you have selected? What techniques would you use to give students the opportunity to practice and observe discussion skills?

A Case Study in Debate

While our project emphasized discussion and dialogue rather than debate, we recognize that many teachers value the debate strategy. They believe debate provides opportunities to develop a range of skills, particularly in argumentation, as well as substantive understanding. In addition, they value the discipline that successful debate requires. The central purpose of debate is to persuade others to accept a position that has already been established on an issue, whereas the major purpose of discussion is to clarify thinking and construct a position through conversation.

Sally McElroy and Patti Taylor, teachers in Frederick, Colorado, have developed an interesting debate assessment task for their team-taught American Studies course. The unit, "Censorship: The Adventures of Huckleberry Finn," brings together study of First Amendment issues and the novel *Huckleberry Finn*. The two-week unit culminates in a debate focused on the following issues: (1) the boy Huck Finn, as characterized by Mark Twain, is an immoral character—a racist, a liar, and a thief; (2) furthermore, the book *The Adventures of Huckleberry Finn* should be banned/censored from schools because it promotes racism and immoral behavior.

Sally and Patti describe their unit:

We had four learning outcomes for the unit:

- *Students will develop and practice skills for researching and accessing information.*
- *Students will develop and practice argumentation, questioning, and debate skills.*
- *Students will demonstrate understanding of the Constitution.*
- *Students will demonstrate collaborative skills.*

The assessment and scoring rubric were distributed (see Figure 5.9) at the beginning of the unit so that students knew from the start what they were working toward. Learning activities were designed to enable students to gather overall knowledge of the Constitution and then to focus on specific provisions that would either support or refute the case for banning Huck Finn.

We spent approximately five class periods in history studying the Constitution as a class (large- and small-group activities). Particular attention was focused on the Bill of Rights, especially the First Amendment. Such cases as Pico, Yoder, and Tinker were analyzed. In English classes, students read and discussed Huck Finn and learned debate skills. The students then spent four days working on the assessment (planning for the debate, determining questions, planning answers). The final day featured the debates.

Jack Rousso, a government teacher at Roosevelt High School in Seattle, Washington, values the debate format because it requires students to develop complex and precisely stated positions. He uses several debates throughout his course, using the following format:

- First affirmative statement (six minutes): An introduction to the affirmative case.
- First negative statement (six minutes): An introduction to the negative case.
- Second affirmative statement (four minutes).
- Second negative statement (four minutes).

© SSEC

Assignment Sheet

THE ADVENTURES OF HUCKLEBERRY FINN

GROUP DEBATES

Assessment: U.S. History/American Literature/ Composition

In this assessment you, as a member of a team, will debate an issue with another team. The debate issue is:

1. The boy Huck Finn, as characterized by Mark Twain, is an immoral character: a racist, a liar, and a thief.
2. Furthermore, *The Adventures of Huckleberry Finn* should be banned from schools because it promotes racism and immoral behavior.

Your team must be prepared to argue both sides of this issue. On the day of the debate, you will be assigned one side to debate.

GRADING CRITERIA

CRITICAL ELEMENTS: These items *must* be present in order to pass this assessment.

- **Levels of arguments**—As a team, you must offer arguments from the following levels:
  a. Principle—One argument must be based on a universal principle, such as justice, liberty, equality, or morality.
  b. Constitutional—One argument must be based on the Constitution. What Constitutional issues are involved? You may also use the *Declaration of Independence.*
- **Use of Evidence**—Arguments must be supported by (1) evidence, events, and analysis from the book, (2) details about the Constitution, the Declaration of Independence, and court cases, and (3) current events (as additional support).
- ***Group Participation***—All team members must participate in the debate in some role. A list of roles is below.

TEAM ROLES (four or five people per team)

The following tasks can be divided among team members:

1. Opening statement
2. Presentation of arguments (one argument based on principle and one argument based on the Constitution)
3. Asking questions of the other side to challenge their positions.
4. Responding to questions from the other side. Each team member must have a prepared question ready to ask the other side. All team members must be ready to respond to questions asked by the other team.
5. Closing statements

ADDITIONAL ELEMENTS

- ***Judges' decision***—Judges will render a decision as to which side wins the debate and by what margin.
- ***Preparation sheet***—Points may be earned by having well done preparation sheets.

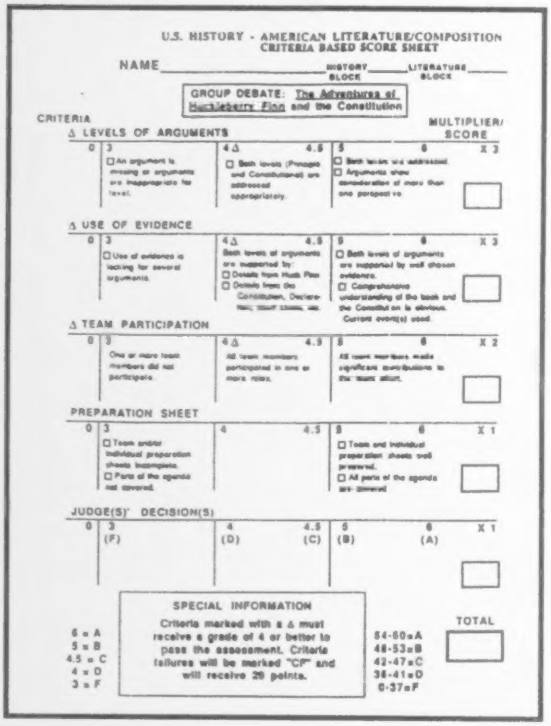
DEBATE AGENDA (10 minutes per team; 20 minutes total per debate)

Part 1: Opening statement—1 minute maximum
The opening statement should clearly show that side of the issue your group supports and introduce the arguments to be used.

Part 2: Arguments and Evidence—5 minutes maximum
In this part, your group will present arguments to support your side of the issue. The arguments must come from the two different levels (Principle and Constitutional) and be supported by evidence from the book, historical fact, and knowledge of the Constitution and the Declaration of Independence.

Part 3: Questions and Answers—3 questions maximum
In this part, each side will take turns asking the other team questions. The purpose is to hear and challenge arguments and counter arguments. If time allows, additional questions may be asked. One person, or more, may ask questions. Care must be taken not to repeat questions already answered. Questions may be answered by anyone in the group.

Part 4: Closing Statement—1 minute maximum
Summarize your position and arguments.



U.S. HISTORY - AMERICAN LITERATURE/COMPOSITION
CRITERIA BASED SCORE SHEET

NAME ________________ HISTORY BLOCK ______ LITERATURE BLOCK ______

GROUP DEBATE: The Adventures of Huckleberry Finn and the Constitution

CRITERIA

Δ LEVELS OF ARGUMENTS

0	3 ☐ An argument is missing or arguments are inappropriate for level.	4 Δ 4.5 ☐ Both levels (Principle and Constitutional) are addressed appropriately.	5 6 ☐ Both levels are addressed. ☐ Arguments show consideration of more than one perspective.	X 3 ☐

Δ USE OF EVIDENCE

0	3 ☐ Use of evidence is lacking for several arguments.	4 Δ 4.5 Both levels of arguments are supported by: ☐ Details from Huck Finn ☐ Details from the Constitution, Declaration, court cases, etc.	5 6 ☐ Both levels of arguments are supported by well chosen evidence. ☐ Comprehensive understanding of the book and the Constitution is obvious. Current event(s) used.	X 3 ☐

Δ TEAM PARTICIPATION

0	3 One or more team members did not participate.	4 Δ 4.5 All team members participated in one or more roles.	5 6 All team members made significant contributions to the team effort.	X 2 ☐

PREPARATION SHEET

0	3 ☐ Team and/or individual preparation sheets incomplete. ☐ Parts of the agenda not covered.	4 4.5	5 6 ☐ Team and individual preparation sheets well prepared. ☐ All parts of the agenda are covered.	X 1 ☐

JUDGE(S)' DECISION(S)

0	3 (F)	4 4.5 (D) (C)	5 6 (B) (A)	X 1 ☐

6 = A
5 = B
4.5 = C
4 = D
3 = F

SPECIAL INFORMATION
Criteria marked with a Δ must receive a grade of 4 or better to pass the assessment. Criteria failures will be marked "CF" and will receive 29 points.

54-60=A
48-53=B
42-47=C
36-41=D
0-37=F

TOTAL ☐

Figure 5.9. Debate assessment task and rubric.

BEST COPY AVAILABLE

- Affirmative rebuttal (four minutes): A rebuilding of the arguments the opponent has attacked.
- Negative rebuttal (four minutes): A rebuilding of the arguments the opponent has attacked.
- Three opponent-generated questions for each side.
- Three audience-generated questions for each side.

Jack has developed separate rubrics for assessing (1) affirmative and negative statements and (2) rebuttals (see Figure 5.10).

Debate Rubric

OPENING STATEMENT AND SECOND STATEMENT

5. Takes a definite opinion and supports position with convincing arguments. Arguments use precise language and are accurate. Speaker enunciates well and uses all of the time allotted in a constructive manner.
4. Is clear in explaining main points of arguments. Provides relevant arguments that support main statement. Does not use all of the allotted time or fills some of the time with irrelevant information.
3. Some vague inferences obscure main points of arguments. Support of statement contains disconnected arguments. Wastes time.
2. Makes little attempt to support main points of arguments. Information is disconnected or irrelevant.
1. Lacks knowledge of topic. Presentation lacks relevance to statement.

REBUTTAL

5. Takes a definite position and supports position with convincing arguments. Arguments use precise language and are accurate. A variety of arguments (factual, experiential, common sensical, etc.) are used that clearly support the position. Arguments demonstrate an understanding of the opponent's position and arguments, and addresses the opposition's arguments in a convincing manner. Speaker enunciates well and uses allotted time constructively.
4. Addresses main points of opposite position. Arguments are based, in part, on information from their research and demonstrate some understanding of the opposition's position. Utilizes most of time constructively.
3. Wavers somewhat from main points of opposite position. Arguments have little connection to prepared information.
2. Exhibits minimal knowledge of the assigned topic, principle, or issue and had difficulty understanding other side's arguments.
1. Makes only irrelevant or distracting comments.

Figure 5.10. Jack Rousso's debate rubric.

Ken Miller, a teacher at Walled Lake Central High School in Michigan, developed an authentic debate task for his Michigan history class. During the spring of 1995, automobile tariffs were a national issue consuming immense news coverage, especially in Michigan. He felt that the topic provided the content for a powerful and authentic culminating activity through which his students could demonstrate their ability to analyze a public issue. To enhance the authenticity and encourage dialogue about the issue beyond his classroom, he invited a panel of community members to listen to the pro-tariff and anti-tariff teams debate the issues and select a winning team. Like Russo, Ken created the rubric to guide students in preparation for the debate as well as to produce evidence that students are meeting the state standards. He found that the rubric was useful in clarifying areas that needed attention by individual students and teams. In addition to the rubric that community members used, Ken further assessed the quality of the debate by asking students to evaluate each others' work and to complete a self-assessment.

The portion of the rubric that he developed for summary is presented in Figure 5.11.

Debate Summary: "Defend and summarize your position on tariffs, restating why our community and state should support your position."

EXEMPLARY (6)	ADEQUATE (4)	MINIMAL (2)	UNACCEPTABLE (0)
Speaker does all of the following: refutes opposition, summarizes, and restates team's position on tariffs.	Speaker does any two of the following: refutes opposition, summarizes and restates team's position on tariffs.	Speaker does only one of the following: refutes opposition, summarizes, and restates team's position on tariffs.	Speaker does not refute opposition, summarize, or restate team's position.

Debate Summary: PROCEDURAL—Did speaker and research team use time wisely and with proper decorum?

EXEMPLARY (6)	ADEQUATE (4)	MINIMAL (2)	UNACCEPTABLE (0)
Research team used group discussion time wisely and speaker presented in (3) minutes without being cut off.	Research team used group discussion time wisely, but speaker was cut off at end of (3) minutes.	Research team used group discussion time wisely, but speaker presented in less than 75% of time allowed (2 min. 15 sec.)	Research team used discussion time poorly and speaker presented in less than 75% of time allowed (2 min. 15 sec.)

Figure 5.11. Ken Miller's rubric for assessing summary statements in a debate.

Reflection/Exercise

What advantages do you see to using a debate format rather than a discussion format? What disadvantages do you see in using the debate format? In what circumstances would you use a debate format? Why?

References

"Education for Democratic Life," special section, *Educational Leadership* (February 1997).

Evans, Ronald W., and David Warren Saxe, eds., *Handbook on Teaching Social Issues* (Washington, DC: National Council for the Social Studies, 1996).

Hahn, Carole L., "Research on Issues-Centered Social Studies," in *Handbook on Teaching Social Issues*, Ronald W. Evans and David Warren Saxe, eds. (Washington, DC: National Council for the Social Studies, 1996).

Harris, David, "Assessing Discussion of Public Issues: A Scoring Guide," in *Handbook on Teaching Social Issues*, Ronald W. Evans and David Warren Saxe, eds. (Washington, DC: National Council for the Social Studies, 1996).

Harwood, Angela M., and Carole L. Hahn, ERIC Digest ED-SO90-7 (1990).

Larson, Bruce E., and Walter C. Parker "What Is Classroom Discussion? A Look at Teachers' Conceptions," J*ournal of Curriculum and Supervision* (Winter 1996), pp. 110-126.

Morris, Ronald, "The Use and Abuse of Debating in Moral Education," *Ethics in Education* 8, no. 1 (September 1988).

Parker, Walter C., "Assessing Student Learning of an Issue-Oriented Curriculum," in *Handbook on Teaching Social Issues*, Ronald W. Evans and David Warren Saxe, eds. (Washington, DC: National Council for the Social Studies, 1996).

Parker, Walter C., "The Art of Deliberation," *Educational Leadership* (February 1997), pp. 18-21.

Roby, T.T., "Models of Discussion," in *Questioning and Discussion: A Multidisciplinary Study*, J.T. Dillon, ed. (Norwood, NJ: Ablex, 1988), pp. 163-191.

Sternberg, Robert, "Teaching Critical Thinking: Eight Easy Ways to Fail Before You Begin," *Phi Delta Kappan* (February 1987).

"Teaching Controversial Issues," special section, *Social Education* (January 1996).

Zola, John, "Scored Discussions," *Social Education* (February 1992), pp. 121-125.

© SSEC

Chapter 6: Assessing Socratic Seminars and Structured Academic Controversy

As part of this project, teachers (particularly those in study groups in Colorado and Illinois) have worked collaboratively to broaden their repertoire of discussion formats. This chapter reports on their experience with seminars and with Johnson and Johnson's structured academic controversy.

While both of these strategies have some characteristics in common with public issues discussion, both also have unique features. A Socratic seminar, for example, focuses on a text, with participants constructing their substantive understanding through close reading and analysis of that text. The structured academic controversy employs cooperative learning streatgies to help structure discussion of controversial issues. As you read this chapter, we urge you to consider which model most closely fits your own outcomes.

Finally, this chapter presents a case study of a dialogue strategy two teachers have used successfully with classes comprised of students with a variety of learning problems. Too often, we have heard teachers respond after vewing videotaped discussions with remarks like, "Sure, that works in __________, but it won't work in my district" or "I just have too many low ability students." Mike Pezone and Alan Singer's work demonstrates that discussion strategies can be adapted to work with students of many different ability levels.

Socratic Seminars

The concept of engaging students in a seminar approach is based on the premise that a carefully posed question can teach far more than the mere delivery of answers. The label *Socratic seminar* describes a range of discussion models that are based on discussion of a text. Tad Kline of the Bolder Ideas Group offers the following description of a seminar:

> *Socratic seminars are group explorations of a chosen text. Participants are called upon to examine the ideas, issues, and values found in the seminar text. The conversation is "Socratic" in that the leader begins and guides the conversation by means of critical questioning, encourag-*

ing and assisting the participants in the work of analyzing contending viewpoints and drawing conclusions. In a successful seminar, meaning is constructed by each participant through the group work of analysis and interpretation, listening and participation."

Experienced leaders of seminars emphasize the importance of formal training in the methodology but also offer several tips for getting started:

- A good seminar text has an identifiable voice and viewpoint. Articles offering a collection of viewpoints or secondary sources, including the textbook, will not work. Supreme Court opinions, literature, essays, poetry, speeches, and works of art can be effectively used.
- Careful student reading of the text in preparation for the discussion is essential. A pre-seminar task or set of guiding questions, often referred to as "the ticket," is designed to take students into the text and to provide accountability and assistance for students in reading the text. The task might be to find and define particular words or draw a diagram or map based on the text. Some teachers provide carefully crafted essential questions calling for analysis. Only students who have prepared participate in the conversation.
- Procedures for seminars involve civility and politeness. Students do not raise their hands to speak. Students work with the teacher to develop norms for the procedural aspect of the discussion. Improvement comes as the class models and discusses appropriate behavior at the end of each seminar. Students may be directed to "Allow space for other people" or told "if there's something that interests you, ask a question to get the conversation going that direction."
- The seminar takes place with participants seated in a circle so that a conversation can take place about issues, ideas, and values set forth in the text. The seminar leader asks an opening question and then becomes a facilitator. This involves setting aside the role of interjecting content or correcting students when they give a wrong answer during the seminar. The role of the teacher is to ask for careful and consistent references to the text and to probe the ideas and reasoning of seminar participants, linking and contrasting their ideas.
- Time is set aside for reflection and self-assessment at the end of each seminar. Each student is asked to evaluate both the process and the substance of the conversation. Useful questions include: What worked? What improvements can we make in our next seminar? What insights did you have? This debriefing provides students with the opportunity to reflect on their own ability and give feedback to others. Additional assessments or follow-up assignments may be conducted based on the teacher's goals.

In a seminar, student engage in conversations about ideas, values, and issues by exploring a text that everyone has read rather than by focusing directly on a controversy. For some teachers, seminars are

© SSEC

less about teaching a body of content and more about helping students develop habits of minds—critical thinking, discourse with each other. For others, it is a strategy for helping students master the ideas in a text.

The Socratic seminar model of discussion sparked the liveliest discussion among teachers during writing conferences sponsored as part of the *Preparing Citizens* project. Teacher engagement is partially explained by the opportunity to participate in a seminar with a relevant text with an experienced facilitator (John Zola) who has used seminars extensively in his classes as well as in his role as seminar trainer with the Bolder Ideas Group. The participating teachers were also drawn to a discussion strategy that they found to be fresh and promising as a way to help students develop and express their collective and personal understanding of complex issues found within a text.

The experience of two Colorado teachers illustrates how the model has been adapted to match varying outcomes, styles, dand developmental levels of students.

Case Studies in Using Socratic Seminars

Case Study 1: Seminars as an Organizer for Elective Courses

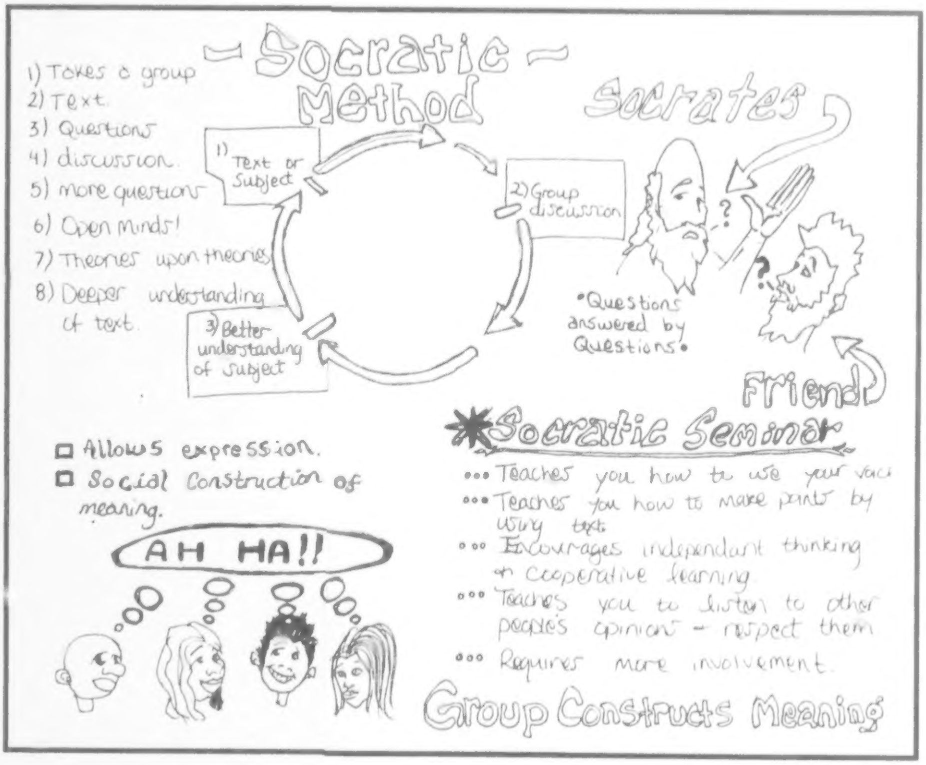
Students at New Vista High School, a "break-the-mold" public school in Boulder, Colorado, look forward to social studies with John Zola. In the past year, John has taught several law-related courses, including "How a Bill Really Becomes a Law," "Kids' Rights," "We the People," "Socratic Seminar on Founding Documents of Democracy," and "Seminar on Supreme Court Decisions."

A videotape of John Zola facilitating a Socratic seminar on the Pledge of Allegiance is available from SSEC.

One of the expectations students hold when they select from a menu of nine-week courses that John teaches is that they will participate in many good discussions. While New Vista students hone their discussion skills using several approaches, they are particularly attracted to Socratic Seminars as a strategy for improving their ability to interact with each other about issues, ideas, and values. In one of the seminar courses that John teaches, students explore current legal issues by reading and analyzing selected landmark Supreme Court cases. In this course, students prepare by carefully reading complete Supreme Court opinions. John provides an assignment for students to complete as part of their reading; completion of this assignment serves as a "ticket" into the seminar. He often tells his students to read the text "as they would a love letter." Students who have not completed the reading sit on the outside of the circle and take on the role of observer.

Seminars begin with a review of norms for a good discussion that have been collectively developed by the class. Because John places a great deal of value on authenticity, he avoids some of the conventional expectations that teachers give (e.g., talking a given number of times, taking notes). Rather, he encourages students to "be who you are," "participate when you have something to say," and "prepare to discuss the ideas you find." He then asks a single opening question, such as "What caused Justice Blackman to change his mind about the death penalty?" "Why did the Lemon case go to the Supreme Court?" "How would we know if sexual harassment occurred?" He sees his role as monitoring the discussion, participating when he sees opportunities for helping his students with the process of discussion of the text. At one point he may ask his students to explore more deeply particular words of the text. At others he summarizes what has been happening in the discussion to provide the group with an opportunity to pursue options that they have raised: "I hear two categories of discussion." At other times, he draws attention to the comment of one of his shy student so that others will respond: "What do you hear Brian saying?"

By participating in a series of seminars, most of John's students come to share his belief in the value of discussion as a learning strategy and as a end in itself. A group of students' ideas about seminars are expressed in Figure 6.1. John says:



- Socratic -
Method
1) Takes a group
2) Text.
3) Questions
4) discussion.
5) more questions
6) Open minds!
7) Theories upon theories
8) Deeper understanding of text.
1) Text or Subject
2) Group discussion
3) Better understanding of subject
Socrates
?
?
•Questions answered by Questions•
Friend
☐ Allows expression.
☐ Social Construction of meaning.
AH HA!!
Socratic Seminar
••• Teaches you how to use your voice
••• Teaches you how to make points by using text
••• Encourages independant thinking & cooperative learning
••• Teaches you to listen to other people's opinions - respect them
••• Requires more involvement.
Group Constructs Meaning

Figure 6.1. A view of the Socratic method brainstormed and drawn collectively by New Vista High School students Lydia Beals, Ben Beezley, Amanda Keane, Melanie Myers, Emily Reber, Noah Spencer, and Trevor Stone.

© SSEC

One of my highest priorities is to make sure that it is their conversation. My role is to ask questions that will help them go deeper than they would on their own. The outcome they share is a deep interest in discussing public issues with each other and with members of their community.

John has made a conscious decision not to grade students on their participation in the seminar. To do so, he believes, will limit the authenticity of the conversation:

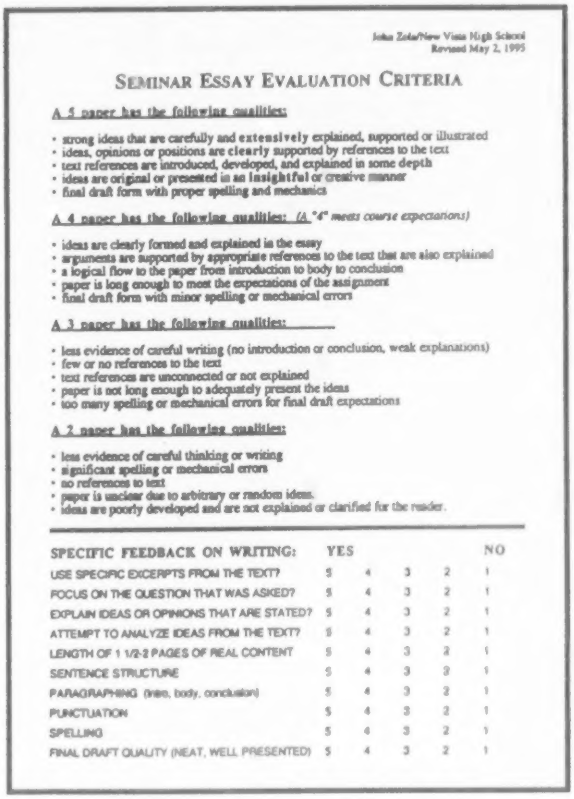
In working with students, I've found that they have more genuine conversations if they are not required to speak. I want seminars to be viewed as a safe, noncoercive place. I'm not a grade monger. In the real world, you talk because you have something to say—not because you are going to get a grade. Some of the best learning comes when you are not talking. I do expect all of my students to participate over the course of several seminars. If Peter is reluctant to talk, he'll get some coaching.

While the seminar may be "grade-free," it is not assessment-free. John is continually assessing both his role and that of individual students. The most powerful assessment experience in John's class is the time that the class works together as a group planning how to improve their discussion skills—as individuals and as a group. And he has evidence that students are interested in improving their abilities and taking the process beyond the classroom. While traveling in vans on a field trips, it is not unusual for a group of students to decide that they would like "to seminar something."

John has yet to find a scoring guide for a seminar that will work for him—in part because he's reluctant to say what the ideal seminar would look like. He also has concerns about many of the scoring guides that he's reviewed because they stress less important factors —"eye contact" and "posture"—over the more important ones, such as thinking. He believes that many of the criteria on the Harris rubric (see Chapter 5) would be useful in any type of a discussion.

Students in John's seminar classes receive grades on their preparation for seminar and on essays that they write following the seminar. One semester, John conferenced with students about their progress over time; other times he has provided students with a written narrative of their progress. Samples of the rubric that he uses for the seminar essay (Figure 6.2) and a narrative evaluation commenting on their progress (Figure 6.3) illustrate some of the assessment strategies that John has employed as part of the seminar experience.

© SSEC



John Zola/New Vista High School
Revised May 2, 1995

SEMINAR ESSAY EVALUATION CRITERIA

A 5 paper has the following qualities:

- strong ideas that are carefully and **extensively** explained, supported or illustrated
- ideas, opinions or positions are **clearly** supported by references to the text
- text references are introduced, developed, and explained in some depth
- ideas are original or presented in an **insightful** or creative manner
- final draft form with proper spelling and mechanics

A 4 paper has the following qualities: (A *"4" meets course expectations)*

- ideas are clearly formed and explained in the essay
- arguments are supported by appropriate references to the text that are also explained
- a logical flow to the paper from introduction to body to conclusion
- paper is long enough to meet the expectations of the assignment
- final draft form with minor spelling or mechanical errors

A 3 paper has the following qualities:

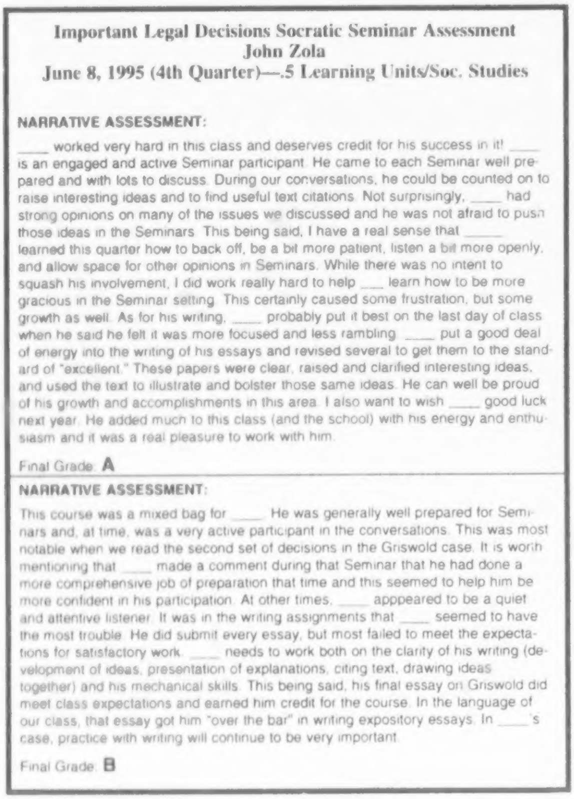
- less evidence of careful writing (no introduction or conclusion, weak explanations)
- few or no references to the text
- text references are unconnected or not explained
- paper is not long enough to adequately present the ideas
- too many spelling or mechanical errors for final draft expectations

A 2 paper has the following qualities:

- less evidence of careful thinking or writing
- significant spelling or mechanical errors
- no references to text
- paper is unclear due to arbitrary or random ideas.
- ideas are poorly developed and are not explained or clarified for the reader.

SPECIFIC FEEDBACK ON WRITING:	YES				NO
USE SPECIFIC EXCERPTS FROM THE TEXT?	5	4	3	2	1
FOCUS ON THE QUESTION THAT WAS ASKED?	5	4	3	2	1
EXPLAIN IDEAS OR OPINIONS THAT ARE STATED?	5	4	3	2	1
ATTEMPT TO ANALYZE IDEAS FROM THE TEXT?	5	4	3	2	1
LENGTH OF 1 1/2-2 PAGES OF REAL CONTENT	5	4	3	2	1
SENTENCE STRUCTURE	5	4	3	2	1
PARAGRAPHING (intro, body, conclusion)	5	4	3	2	1
PUNCTUATION	5	4	3	2	1
SPELLING	5	4	3	2	1
FINAL DRAFT QUALITY (NEAT, WELL PRESENTED)	5	4	3	2	1

Figure 6.2. John Zola's rubric for assessing seminar essays.



Important Legal Decisions Socratic Seminar Assessment
John Zola
June 8, 1995 (4th Quarter)—.5 Learning Units/Soc. Studies

NARRATIVE ASSESSMENT:

____ worked very hard in this class and deserves credit for his success in it! ____ is an engaged and active Seminar participant. He came to each Seminar well prepared and with lots to discuss. During our conversations, he could be counted on to raise interesting ideas and to find useful text citations. Not surprisingly, ____ had strong opinions on many of the issues we discussed and he was not afraid to push those ideas in the Seminars. This being said, I have a real sense that ____ learned this quarter how to back off, be a bit more patient, listen a bit more openly, and allow space for other opinions in Seminars. While there was no intent to squash his involvement, I did work really hard to help ___ learn how to be more gracious in the Seminar setting. This certainly caused some frustration, but some growth as well. As for his writing, ____ probably put it best on the last day of class when he said he felt it was more focused and less rambling. ____ put a good deal of energy into the writing of his essays and revised several to get them to the standard of "excellent." These papers were clear, raised and clarified interesting ideas, and used the text to illustrate and bolster those same ideas. He can well be proud of his growth and accomplishments in this area. I also want to wish ____ good luck next year. He added much to this class (and the school) with his energy and enthusiasm and it was a real pleasure to work with him.

Final Grade: **A**

NARRATIVE ASSESSMENT:

This course was a mixed bag for ____. He was generally well prepared for Seminars and, at time, was a very active participant in the conversations. This was most notable when we read the second set of decisions in the Griswold case. It is worth mentioning that ____ made a comment during that Seminar that he had done a more comprehensive job of preparation that time and this seemed to help him be more confident in his participation. At other times, ____ apppeared to be a quiet and attentive listener. It was in the writing assignments that ____ seemed to have the most trouble. He did submit every essay, but most failed to meet the expectations for satisfactory work. ____ needs to work both on the clarity of his writing (development of ideas, presentation of explanations, citing text, drawing ideas together) and his mechanical skills. This being said, his final essay on Griswold did meet class expectations and earned him credit for the course. In the language of our class, that essay got him "over the bar" in writing expository essays. In ____'s case, practice with writing will continue to be very important.

Final Grade: **B**

Figure 6.3. Narrative description of two students' progress in John Zola's seminar class.

Case Study 2: Adapting the Seminar Model for Middle School

Judy Schaefer teaches English on an interdisciplinary American Studies team at Campus Middle School. Many parents move to the area because they view the school as providing academic rigor as reflected in well-articulated content standards. Judy has adapted Socratic seminar for use with eighth-grade students. She uses the seminars as a means of teaching the communication and thinking skills prescribed in her curriculum. She also works with teammate Jackie Johnson to insure that students bring their understanding of social studies content to some of the texts they are reading in language arts.

Like John, Judy uses seminars as a means for students to construct their own meaning from texts they read and to relate the texts to their own lives:

Thirty individuals who have prepared to draw ideas from a text have a deeper understanding of the meaning than if they work alone. I expect my students to take a great deal of responsibility in preparing for the discussion and for monitoring the process of the discussion. I'm particu-

A videotape of Judy Schaefer facilitating a seminar of *April Morning* is available from SSEC.

larly interested in seeing that they ask appropriate questions, that they cite from the source by reading a quote and giving the page number, and that they build upon what the previous person said.

In preparation for the discussion, students use the text to develop written answers to "essential questions," organizing ideas and points they want to bring up in the discussion. Essential questions for one of three seminars on *April Morning* asked students to integrate concepts from social studies into their thinking about the novel. On this particular day, the essential questions were:

- How does Adam's coming of age compare with that of the nation?
- What evidence is there in *April Morning* that the people of Lexington believed in and supported democratic principles?
- Find evidence to show that the people of Lexington thought of themselves as English or American.

As part of the discussion, students referred to examples in which citizens of Lexington exhibited civic virtue or thought of their responsibilities in the context of the social contract.

In contrast with John's situation, Judy is teaching to specific outcomes and provides a grade to each student on the skills and knowledge that are specified in her curriculum. She is particularly interested in the seminar as an activity in which students can improve their ability to express ideas, to build on the ideas of others, and to cite from the text. Teaching in a middle school, Judy is more directive in communicating her expectations to students. She reviews rules that she has found work with middle school students (Figure 6.4) and provides students with a

RULES FOR SOCRATIC SEMINAR

1. You must read the material to participate. Selectively highlight important information.
2. Absolutely no side talking!
3. Do not interrupt others.
4. Listen carefully.
5. Don't raise hands; take turns.
6. Speak up, so all can hear you.
7. No drawing or doing other homework.
8. Talk to each other, not just to the teacher. Address each other by name.
9. Discuss ideas rather than each other's opinions. It's not a debate.
10. Stick to the point/make notes about ideas you want to come back to.
11. Refer to the text often! A seminar is not a test of memory. You are not "learning a subject"; you are aiming at understanding ideas, values and issues.
12. Avoid informal words: "like," things, "stuff," "you know."
13. Do not hog the show; it's not a bull session!

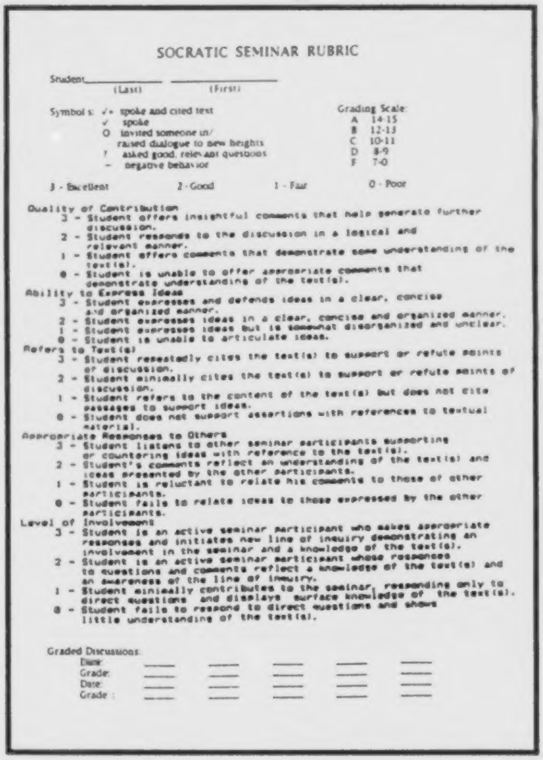
Figure 6.4. Judy Schaefer's rules for a Socratic seminar.

rubric she has developed (Figure 6.5) to let them know how she will be scoring their participation. A sample of the scoring log she uses is found in Figure 6.6. Former students have told Judy that speaking as a requirement has served them well in their high school courses.

While Judy finds that her assessment is very effective at many levels, she also has goals for improving:

I need to work on coaching the students. Many of my students would benefit from prompt feedback. I find the debriefing following each seminar to be helpful and would also like to spend even more time with the class identifying how we can improve.

The chart on page 89 illustrates how Socratic seminars have been adapted by these two Colorado teachers who are using seminars in very different settings and to meet different outcomes. A video is also available illustrating the methodology in their classrooms.



SOCRATIC SEMINAR RUBRIC

Student ______________ ______________
(Last) (First)

Symbols:
- √+ spoke and cited text
- √ spoke
- O invited someone in/raised dialogue to new heights
- ? asked good, relevant questions
- – negative behavior

Grading Scale:	
A	14-15
B	12-13
C	10-11
D	8-9
F	7-0

3 - Excellent 2 - Good 1 - Fair 0 - Poor

Quality of Contribution
- 3 - Student offers insightful comments that help generate further discussion.
- 2 - Student responds to the discussion in a logical and relevant manner.
- 1 - Student offers comments that demonstrate some understanding of the text(s).
- 0 - Student is unable to offer appropriate comments that demonstrate understanding of the text(s).

Ability to Express Ideas
- 3 - Student expresses and defends ideas in a clear, concise and organized manner.
- 2 - Student expresses ideas in a clear, concise and organized manner.
- 1 - Student expresses ideas but is somewhat disorganized and unclear.
- 0 - Student is unable to articulate ideas.

Refers to Text(s)
- 3 - Student repeatedly cites the text(s) to support or refute points of discussion.
- 2 - Student minimally cites the text(s) to support or refute points of discussion.
- 1 - Student refers to the content of the text(s) but does not cite passages to support ideas.
- 0 - Student does not support assertions with references to textual material.

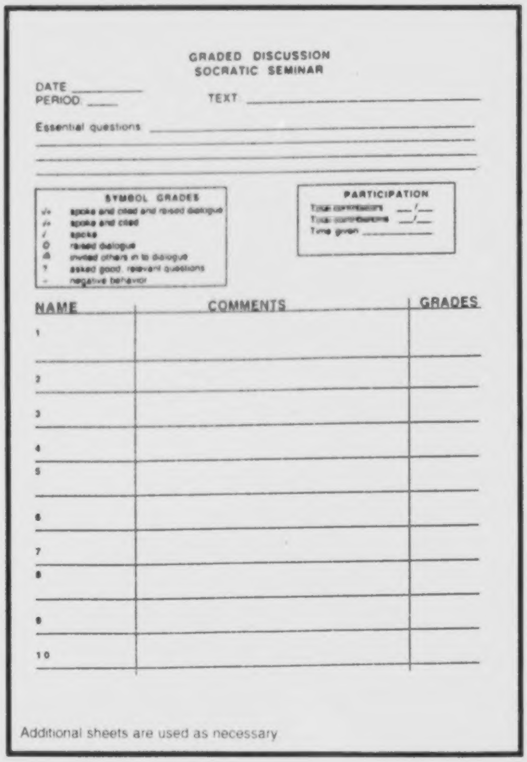
Appropriate Responses to Others
- 3 - Student listens to other seminar participants supporting or countering ideas with reference to the text(s).
- 2 - Student's comments reflect an understanding of the text(s) and ideas presented by the other participants.
- 1 - Student is reluctant to relate his comments to those of other participants.
- 0 - Student fails to relate ideas to those expressed by the other participants.

Level of Involvement
- 3 - Student is an active seminar participant who makes appropriate responses and initiates new line of inquiry demonstrating an involvement in the seminar and a knowledge of the text(s).
- 2 - Student is an active seminar participant whose responses to questions and comments reflect a knowledge of the text(s) and an awareness of the line of inquiry.
- 1 - Student minimally contributes to the seminar, responding only to direct questions and displays surface knowledge of the text(s).
- 0 - Student fails to respond to direct questions and shows little understanding of the text(s).

Graded Discussions:

Date:	___	___	___	___	___
Grade:	___	___	___	___	___
Date:	___	___	___	___	___
Grade:	___	___	___	___	___

Figure 6.5. Judy Schaefer's Socratic seminar rubric.



GRADED DISCUSSION
SOCRATIC SEMINAR

DATE ________
PERIOD ____
TEXT ______________________

Essential questions ______________________

SYMBOL GRADES
- √+ spoke and cited and raised dialogue
- √+ spoke and cited
- √ spoke
- O raised dialogue
- △ invited others in to dialogue
- ? asked good, relevant questions
- – negative behavior

PARTICIPATION
- Total contributions ___/___
- Total contributions ___/___
- Time given ________

NAME	COMMENTS	GRADES
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

Additional sheets are used as necessary

Figure 6.6. Judy Schaefer's scoring log for Socratic seminar.

	John Zola	**Judy Schaefer**
Outcomes	For students to have their own conversation about ideas, issues, and values within a text	For students to develop critical thinking and conversation skills, particularly the ability to express ideas about content
Developmental level	High school grades 9-12, class size 15-20 students	Middle school grade 8, class size of 25-30 students
Context	Nine-week elective social studies courses, block periods, students know that seminars will be a primary instructional strategy	Seminars taught in language arts as part of an interdisciplinary American Studies program, content outcomes are specified, seminars are conducted on a regular basis throughout the year
Giving expectations	Provided primarily through modeling and through norms created by the class	Rules clearly articulated, rubric reflecting district proficiencies given at beginning
Preparation	Students are provided a question to provoke thinking as they read. They expect a new "opening question" to begin the seminar	Essential questions guide student reading (and the seminar discussion). Students highlight key words and phrases
Role of teacher	Asks purposeful questions, usually to bring students back to the text or to bring attention to an idea that a student has initiated	Intervenes minimally—partially because she is tracking the conversation and evaluating students but also because she wants student ownership
Assessment	Discussion period is "grade-free"—students are not expected to speak every time; assessment strategy includes reflection by class about the quality of the seminar, essay assignments, and, in some courses, student conferences	Each student receives a grade on each discussion based on rubric and teacher observation; time is provided after each seminar for students to reflect on how to improve the seminars

© SSEC

Reflection/Exercise

Choose a complex set of ideas you want students to learn in your class. Could understanding of these ideas be developed using one or more Socratic seminars? What text(s) would you use? What "ticket" would you require students to bring? What question would you use to start the seminar?

Try a seminar with one class. If possible, invite a colleague to observe the seminar and discuss possible improvements with you. Focus especially on comments made by students in their reflections following the seminar. How do their ideas help you?

Structured Academic Controversy

Many students see class discussion as a time to debate, to put forth opinions they hold without the need to support those ideas or to even listen carefully to the ideas of those who disagree. While some teachers have addressed this problem by emphasizing discussion skills, others have implemented variations on the debate format to help students overcome poor discussion skills and bad habits of communication. Structured academic controversy is one such approach. This highly structured approach developed by Johnson and Johnson (1988) is grounded in the recognition that controversy addressed through cooperative learning groups can have positive learning outcomes. The steps in the SAC as developed by the Johnson and Johnson and adapted by teachers in this project take students from learning information to reasoned judgment. At least four class periods are needed to complete the process.

Teacher preparation involves the following steps:

- Choosing a topic for which materials representing two well-documented positions are available.
- Creating materials for students outlining the task, processes, and controversy to be addressed.
- Structuring the controversy to insure cooperative group work for completion of the task:

  Day 1: In groups of four, pairs study one side of the controversy. Partners learn the position assigned and prepare to advocate their position.

  Day 2: Teams take turns persuasively presenting positions to other students representing the other side of the controversy.

Students on the other side are expected to make notes and ask questions about information that they don't understand.

Day 3: Teams reverse positions. Each side uses the notes and materials from the other side to make a shorter presentation demonstrating their understanding of the opposite side.

Day 4: Teams then put aside their positions and discuss the issue, trying to find points of agreement and disagreement among the group members. Teams attempt to reach some consensus, if only on steps they must take to resolve their differences. This step can be followed with a writing assignment in which students formalize their personal thinking.

- Debriefing the activity by talking about how the group worked as a team and how use of the process contributed to a deeper understanding of the issue.

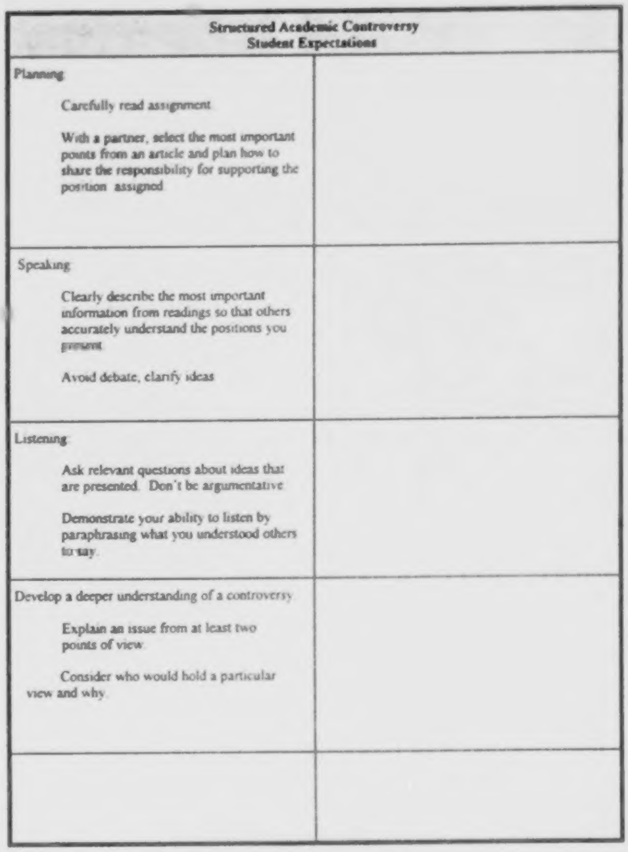
Two teachers at Columbine High School in Jefferson County, Colorado, Ivory Moore and Wendy Lawrence, worked together to adapt the strategy to their classrooms and to establish a checklist of criteria that summarize expectations for students. Figure 6.7 illustrates the criteria that Ivory provided his students in preparing for a discussion of the question: "Is the militia movement a threat to democracy?"

Wendy found that her ninth-grade civics classes responded very positively to the approach. The strategy was particularly appealing to students who prefer debate over discussion. Wendy found that they could engage directly in controversy, yet also develop skills that she valued—constructive argumentation, the ability to listen, and a deeper understanding of the issue at hand. She thinks that the approach worked well for shy students who may be reluctant to express their personal views to other students. These students appreciated the opportunity to represent an assigned perspective.

A Dialogue Project—Structuring Interaction for Students with Learning Problems

Other teachers have developed their own approaches to combining discussion and cooperative groups toward positive ends. Providing students with the opportunity and ability to discuss current issues is a particularly challenging task when students with the lowest achievement level and a range of special needs are grouped together. Mike Pezone, a teacher at Russell Sage Junior High in Queens, New York, and his former social studies methods teacher, Alan Singer, Professor of Education at Hofstra University, have taken on the challenge of establishing democratic practices at a school where students are tracked by achievement level into 14 groups. This case study features their experience in

A videotape of Mike Pezone's class is available from SSEC.



Structured Academic Controversy Student Expectations	
Planning: Carefully read assignment. With a partner, select the most important points from an article and plan how to share the responsibility for supporting the position assigned.	
Speaking: Clearly describe the most important information from readings so that others accurately understand the positions you present. Avoid debate, clarify ideas.	
Listening: Ask relevant questions about ideas that are presented. Don't be argumentative. Demonstrate your ability to listen by paraphrasing what you understood others to say.	
Develop a deeper understanding of a controversy. Explain an issue from at least two points of view. Consider who would hold a particular view and why.	

Figure 6.7. Ivory Moore's list of expectations for students taking part in the structured academic controversy.

establishing high expectations and a process through which the lowest ranked students "do democracy." Alan and Mike provide a compelling rationale for doing so:

The establishment of democratic practices in the classroom is my fundamental goal. I want to infuse my students with power and voice so they can control the destiny of their lives. I want my classroom to become a community of learners. If we are going to have a democratic society, kids must experience these possibilities in school so they can recreate them as adults. This is particularly true with urban, minority youth. (Over half of the students at Russell Sage are immigrants or children of immigrants.)

"If we are going to have a democratic society, kids must experience these possibilities in school… "

The "8-7s" are well aware of the fact that they have been classified as problem learners. When asked what teachers might say about their class, the students readily responded: "They'd say we are bad. We have trouble paying attention." Many receive special services for a range of learning problems including speech and hearing impairments, limited *language proficiency, and attention deficit disorder. I hope that I can eliminate some of the hostility that they experience in other parts of their day by stepping back from the traditional authoritarian role of teacher. I have worked to create a place where they learn, where they experience self-worth. I want them to see my classroom as a place where human beings can interact, where everyone speaks, where people are not chastised for giving the wrong answer.*

To provide these students an opportunity to practice democracy, Mike and Alan have involved the "8-7s" in a highly structured dialogue project in which students help to create the structure in which they work cooperatively. Following a three- to four-week unit of instruction on a controversial topic (e.g., U.S. role in Vietnam, role of women in developing societies, immigration, violence/nonviolence), in which students explore content through a variety of activities, the students are then asked to demonstrate their understanding of the topic through a discussion format in which students work in two teams and smaller cooperative groups.

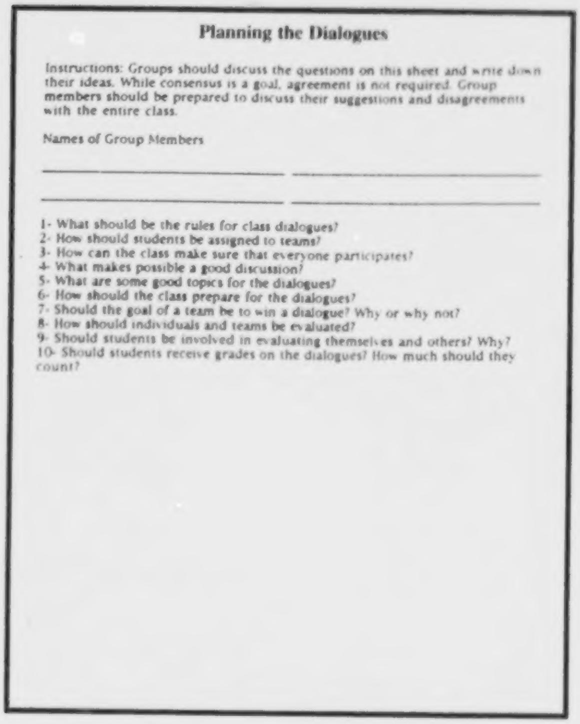
Mike begins the weeklong dialogue project by involving his students in the task of developing the criteria by which they will judge their performance and that of their small group. The students' ideas are turned into a scoring guide that they use to evaluate their work (Figure 6.8). Says Mike, "They tell me better way to do things. Turning the grading over to them affects their attitude toward learning."

To spark thinking about the criteria for a student-developed scoring guide, Mike leads a directed discussion using a story about two lumberjacks, one of whom puts forth monumental effort but cuts fewer trees than the accomplished lumberjack who takes many breaks. Mike engages the students in a discussion of how they would pay the two lumberjacks as an introduction for a discussion about the weight and value of "effort" and "outcome" in the grading process and in life.

Once they have established the criteria for grading their performance, students select the side of the argument that reflects their views and then work in cooperative groups within their teams to prepare oral presentations. On the day of the performance, each student makes a contribution to the dialogue, with teams alternating in their presentations. Students are expected to take notes on points made by the other side and to then "huddle up" in their small groups to consider how they might respond to what they heard. Following another round of presentations, each side is asked to give compliments to the other team for things they did well.

The following day, the class assesses their work through a large class discussion of how things worked. They also rate their individual performance and that of their group using the scoring guide they developed. For Alan, the self-assessment and reflection by the class are crucial to the process. During this process students comment on what went well, discuss improvements that can be made in individual and group

© SSEC



Planning the Dialogues

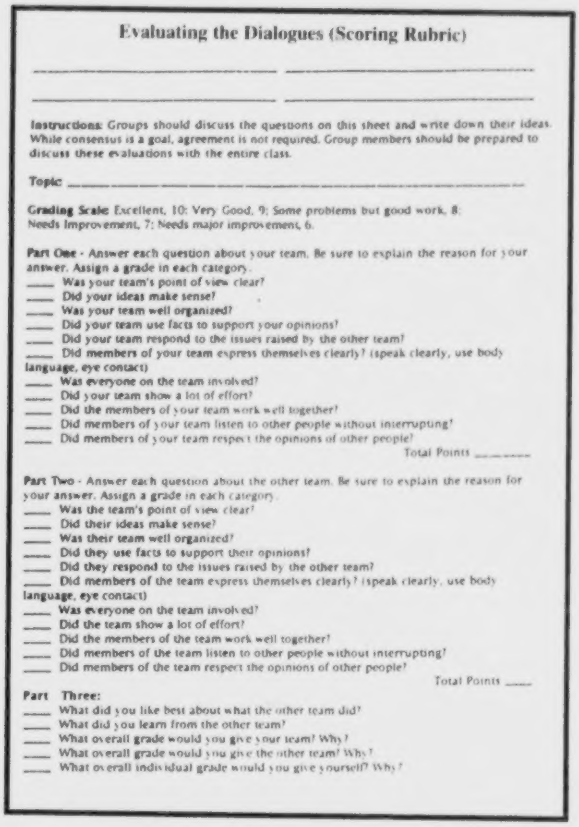
Instructions: Groups should discuss the questions on this sheet and write down their ideas. While consensus is a goal, agreement is not required. Group members should be prepared to discuss their suggestions and disagreements with the entire class.

Names of Group Members

______________________ ______________________

______________________ ______________________

1- What should be the rules for class dialogues?
2- How should students be assigned to teams?
3- How can the class make sure that everyone participates?
4- What makes possible a good discussion?
5- What are some good topics for the dialogues?
6- How should the class prepare for the dialogues?
7- Should the goal of a team be to win a dialogue? Why or why not?
8- How should individuals and teams be evaluated?
9- Should students be involved in evaluating themselves and others? Why?
10- Should students receive grades on the dialogues? How much should they count?



Evaluating the Dialogues (Scoring Rubric)

______________________ ______________________

______________________ ______________________

Instructions: Groups should discuss the questions on this sheet and write down their ideas. While consensus is a goal, agreement is not required. Group members should be prepared to discuss these evaluations with the entire class.

Topic ____

Grading Scale: Excellent, 10: Very Good, 9; Some problems but good work, 8: Needs Improvement, 7: Needs major improvement, 6.

Part One - Answer each question about your team. Be sure to explain the reason for your answer. Assign a grade in each category.

____ Was your team's point of view clear?
____ Did your ideas make sense?
____ Was your team well organized?
____ Did your team use facts to support your opinions?
____ Did your team respond to the issues raised by the other team?
____ Did members of your team express themselves clearly? (speak clearly, use body language, eye contact)
____ Was everyone on the team involved?
____ Did your team show a lot of effort?
____ Did the members of your team work well together?
____ Did members of your team listen to other people without interrupting?
____ Did members of your team respect the opinions of other people?

Total Points ________

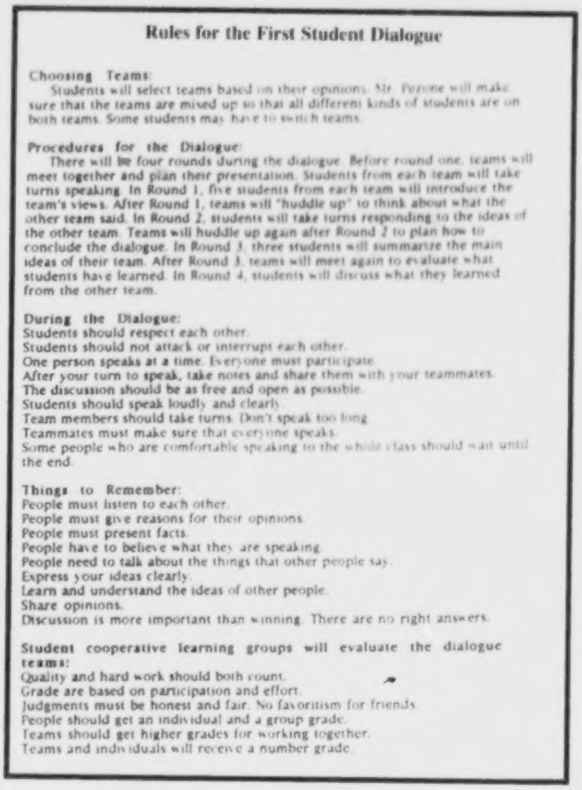
Part Two - Answer each question about the other team. Be sure to explain the reason for your answer. Assign a grade in each category.

____ Was the team's point of view clear?
____ Did their ideas make sense?
____ Was their team well organized?
____ Did they use facts to support their opinions?
____ Did they respond to the issues raised by the other team?
____ Did members of the team express themselves clearly? (speak clearly, use body language, eye contact)
____ Was everyone on the team involved?
____ Did the team show a lot of effort?
____ Did the members of the team work well together?
____ Did members of the team listen to other people without interrupting?
____ Did members of the team respect the opinions of other people?

Total Points ____

Part Three:

____ What did you like best about what the other team did?
____ What did you learn from the other team?
____ What overall grade would you give your team? Why?
____ What overall grade would you give the other team? Why?
____ What overall individual grade would you give yourself? Why?



Rules for the First Student Dialogue

Choosing Teams:

Students will select teams based on their opinions. Mr. Pezone will make sure that the teams are mixed up so that all different kinds of students are on both teams. Some students may have to switch teams.

Procedures for the Dialogue:

There will be four rounds during the dialogue. Before round one, teams will meet together and plan their presentation. Students from each team will take turns speaking. In Round 1, five students from each team will introduce the team's views. After Round 1, teams will "huddle up" to think about what the other team said. In Round 2, students will take turns responding to the ideas of the other team. Teams will huddle up again after Round 2 to plan how to conclude the dialogue. In Round 3, three students will summarize the main ideas of their team. After Round 3, teams will meet again to evaluate what students have learned. In Round 4, students will discuss what they learned from the other team.

During the Dialogue:

Students should respect each other.
Students should not attack or interrupt each other.
One person speaks at a time. Everyone must participate.
After your turn to speak, take notes and share them with your teammates.
The discussion should be as free and open as possible.
Students should speak loudly and clearly.
Team members should take turns. Don't speak too long.
Teammates must make sure that everyone speaks.
Some people who are comfortable speaking to the whole class should wait until the end.

Things to Remember:

People must listen to each other.
People must give reasons for their opinions.
People must present facts.
People have to believe what they are speaking.
People need to talk about the things that other people say.
Express your ideas clearly.
Learn and understand the ideas of other people.
Share opinions.
Discussion is more important than winning. There are no right answers.

Student cooperative learning groups will evaluate the dialogue teams:

Quality and hard work should both count.
Grade are based on participation and effort.
Judgments must be honest and fair. No favoritism for friends.
People should get an individual and a group grade.
Teams should get higher grades for working together.
Teams and individuals will receive a number grade.

Figure 6.8. Planning and assessment materials for Mike Pezone's dialogue project.

© SSEC

work, and reflect on their own learning process. Mike believes that turning the criteria for good work and the grading process over to students increases the democratic experience. Students generally feel successful and give themselves good grades. As one of the "8-7s" put it after reflecting on the lumberjack analogy: "I think everyone deserves a good grade. We worked together—we can show a good result and good effort." Whatever grades the students give are recorded in the grade book. Mike sometimes assigns essays that students write about their understanding of the issue and about their understanding of the exchange of ideas in the classroom.

Students are enthusiastic about the dialogue project. In their written and oral reflections, they express a feeling of accomplishment that they have learned new information, that they have had an opportunity to think, and most importantly based on Mike's goal, they feel that the dialogue provided them with an opportunity to learn from each other in a democratic fashion: "This is our project. We invented it."

Here are some of their comments:

> Our class did well, we all had our speeches and projects prepared. I think we enjoyed this project very much. We would have taken the project more seriously and learned alot more.
>
> I think I should get this grade because I deserved it besides I did that immigration picture on the board. You now how U.S. would be crowded in the future. I also spoke a few times so can you please give a 90!
>
> My team deserves a 96 because they did their great speeches and they all helped each other to get ideas and solutions for how to keep immigrants out of the U.S.
>
> I learned new things and I got to work in a smart group for in favor of immigrants. Yes I would love to do another one because you can learn a lot of things bye doing that. 8-7 did very well in working in group. They found out things that know other person can find out.
>
> I feel that the dialogue was a good idea. It makes us get along and respect each other and put us in a good mood so we could communicate better.

As a fourth-year teacher, Mike has focused on what he can do to improve his efforts to provide students with democratic experience. He has solicited suggestions from Alan and others, as well as from his students. Other teachers from his school have visited his class to learn about his success with low achieving students; several are interested in adapting his project for their classroom.

Reflection/Exercise

- The structured academic controversy and dialogue project, like debate, involve students in step-by-step processes, while the Socratic seminar and public issues discussion are more free-flowing, taking shape differently as a result of questions and issues raised by students. Which format is best suited to your teaching style? your outcomes? your students' abilities? Could you use both a structured format and a more student-directed approach in the same class? Why or why not?

Reference:

Johnson, David W., and Roger T. Johnson, "Critical Thinking Through Structured Controversy," *Educational Leadership* (May 1988), pp. 58-64.

Pezone, Michael, and Alan Singer, "Empowering Immigrant Students Through Democratic Dialogues," *Social Education* (February 1997), pp. 75-79.

© SSEC

Chapter 7: Performance Assessment: Mock Trials, Moot Courts, Simulated Legislative Hearings, and Town Meetings

Performances in civic education take a variety of forms reflecting the work of elected public officials, the "office of citizen," and the professional training of many social scientists and law-related professionals. The authenticity of simulated legislative hearings, trial procedures, and appellate hearings are readily perceived by the community, teachers, and their students. Because students are citizens, many of the lessons can be carried into their lives immediately—to student council or student courts. Others call for "perspective-taking"—looking at public policy and the roles of lawyers, judges, witnesses, members of majority and/or minority groups, experts, lobbyists, individuals, special-interest groups, candidates, legislators, disputants, and journalists.

The rationales for using such instructional approaches are varied. In listening to teachers who are enthusiastic about mock judicial and legislative proceedings, several rationales stand out:

- Simulated performances position students to apply what they have learned and give teachers information about how effective the learner will be in taking what has been learned into the jury box or to the ballot box; these activities also help students be more critical consumers of media and influencers of public policy.
- Simulations are engaging. Students learn more because they are involved in their own learning.
- Performances call on students to use complex higher level thinking skills, often in the form of legal reasoning, under conditions that resemble the real world.
- Performances call for emotional involvement, which can result in more powerful learning.
- Performances often involve an audience, providing an incentive to excel.

The concept of performance assessment is inherently attractive to law and government teachers because so many of them utilize a wide range of performance-based instructional materials in their courses of study. Teachers who use performance regularly do so because they know that students are more engaged in their learning. However, when it comes to specifying what students have learned, they are usually somewhat tentative about what individual students have learned as a result of the performance. The lack of certainty about achievement comes from the fact that teachers are **making judgments about complex interactive performances** rather than **checking factual accuracy in stand and deliver presentations**.

Civic educators exploring strategies for assessing performance in an in-depth way find themselves with more questions than answers. The questions they are uncovering are important ones worthy of exploration. At the writing conference, work group discussion centered on such questions as: Are the results worthy of the time spent on the simulation? Are mock legal processes more reflective of social studies or language arts outcomes? Do all students have an opportunity for higher level thinking? Can you really learn the important skills if you are the bailiff? Is the role of the lawyer overly glamorized? Do mock trials glamorize the adversarial process in unrealistic ways? Should all students be required to look at issues of justice from the perspective of juror, since that is the role of citizen in the adversarial system? How many mock processes do students need to participate in to have sufficient opportunity for practice and improvement? What perspectives provide the best view of government? Are the outcomes important enough and comprehensive enough to justify the time needed for exemplary performance?

To answer these questions, teachers first needed to answer the most basic questions: **WHY** use a simulated legislative or judicial process in the classroom? What do you want kids to do that is BEST developed through these activities? Once the key objectives were identified, the work of developing performance assessment involved:

- Clearly stating what will be taught and assessed.
- Defining criteria by which performance will be judged in measurable terms.

The scoring criteria developed during the writing conferences address some, but not necessarily the most highly valued outcomes that teachers aspire to through the mock trial. Did students effectively complete a particular role in a simulation? Did they speak clearly, wear appropriate clothes? Maintain eye contact? All these are important, but beg the question of whether **all students** understand the strengths and weaknesses of the judicial system or had the opportunity to practice asking strategic questions during the extended preparation time. Readers are invited to join developers of these rubrics in closing the gap between engaging activities and engaging activities that produce evidence that students achieved substantive content standards.

Reflection/Exercise

Can a simulation (performance) serve as an assessment? How should we judge what students learn through a mock trial? Read positions A and B and decide which most closely represents your views. As you critique the scoring rubrics presented in the next section, think about how you would design a rubric or supplementary assessment for use with a mock trial.

Position A: The mock trial is a performance task through which teachers judge the quality of student work. Courtroom interaction, whether it is real or simulated, reflects many values and skills that citizens use on an ongoing basis. We should be judging performances because we need to know if citizens are going to be effective in adapting to specific roles and situations—courtrooms, legislative hearing rooms, voting booths. In real life citizens are judged by the quality of their work. Lawyers' reputations are based on their ability to win and lose cases. The judge, jury, witness, and even the bailiff are judged by the spoken and written word—not by an essay that they write following the event. They practice and prepare for a performance that will not be repeated. The best way to judge their work is feedback from trained and knowledgeable observers—the teacher and/or resource people.

Position B: The mock trial is a worthwhile instructional activity but requires a mix of traditional and open-ended evaluation tools to determine what students have really learned. The mock trial is a complex, interactive instructional activity through which teachers, with help from resource people, develop an understanding of important knowledge and skills and provide opportunity for practicing skills. Observing a mock trial is an inadequate basis for determining if students have developed the range of skills and knowledge required of them as citizens. The performance is complex, interactive, and provides uneven opportunities for students. A good cross-examination, convincing arguments, and eye contact are not indications of students' abilities to analyze the strengths and weakness of the judicial system. To really determine what students learned from the instructional activity, you need evaluations (tests, self-reflections, essays) to gather evidence about students' understanding of judicial process.

The Mock Trial

A mock trial is an enactment of a criminal or civil judicial proceeding. In criminal trials, the state brings the case against the person accused of the crime. In civil trials, disputes between individuals or groups (e.g., divorce, personal injury, business disagreements) are resolved. Mock trials are both formal and informal—sometimes based on historical events and other times on contemporary issues. Trials can be presented to a judge or to a jury.

Mock trials are designed to inform students about the judicial system, legal processes, and courtroom procedure; to demonstrate the roles of various actors in the legal system; and to provide exposure to legal resource persons. Students are called upon to use a range of basic reading, listening, and writing skills in the process.

The mock trial seems to be the most commonly used simulated civic education exercise. This project focused on the mock trial as an in-class instructional activity rather than the competitive format that often involves a group of students in an after-school activity. In this chapter, we explore some questions or issues raised by teachers in our project to present a picture of the classroom context in which teachers use mock trials and the types of judgments they must make about student achievement. An outline of what is involved in a criminal mock trial is presented in Figure 7.1.

Student Learning

Teachers have much anecdotal information that indicates that mock trials work. Theresa Murray, middle school language arts and social studies teacher in Portland, Oregon, has recorded the following observations from her classroom:

> *For over ten years I have passionately pursued the use of mock trials in my classroom because I am astounded at the high level of performance, the commitment, and the enthusiasm students exhibit. Evidence includes a magical boost of self-confidence and improved thought processes. Chanesa, who had hardly raised her hand all year, volunteered to play a role. I held my breath. Then I watched with wonder the transformation as she performed her role to perfection. She worked diligently on this project like no other. She spoke clearly, distinctly, and with a confidence I had not seen from her before. They write and rewrite statements and questions. They practice speaking over and over—for teachers, peers, and parents. And they enjoy the process.*

"…I am astounded at the high level of performance, the commitment, and the enthusiasm students exhibit."

Theresa's colleague in developing an assessment of the mock trial, Greg Clevenger, has equal enthusiasm for mock trials in the classroom. Greg also has experience in setting up in-school student courts in which students from his law class actually try cases involving minor infractions of school rules. The court was well received by school administrators, community leaders, and the students and publicized in the local media.

Recognizing the need for clarifying the learning outcomes that should be expected from a mock trial, teachers at the writing conference established the following statement of what students would accomplish as a result of participating in a mock trial:

The purpose of a mock trial is for you to demonstrate your understanding of the adversarial process as a way of resolving conflicts. Perhaps more than any country in the world, citizens of the United States rely on the judicial process:

- *To settle disputes with others.*
- *To solve questions of fairness and justice.*
- *To interpret the meaning of state statutes and the Constitution.*

Steps in a Mock Trial of a Criminal Case

1. Opening of the court by the court officer or bailiff.
2. Selection of a jury.
3. Opening instructions by the judge.
4. Opening statements by the attorneys. The prosecution makes its statement first, followed by the defense. Both sides cover the facts of the case, the law as it relates to the facts, and its core theory (what it wants the jury to believe).
5. Presentation of the prosecution's case. The prosecuting attorney calls witnesses and conducts the direct examination. The defense attorney conducts cross-examination of the witnesses.
6. Presentation of the defense case. The defense attorney calls witnesses and conducts the direct examination. The prosecuting attorney cross-examines the defense witnesses.
7. Closing statements by the attorneys. The prosecuting attorney reviews the testimony and evidence presented at trial, argues the facts and law supporting the prosecution's case, and tries to convince the jury to convict. The defense attorney makes a similar case, arguing for acquittal. The prosecutor ends with a short rebuttal of the defense arguments.
8. Instructions to the jury by the judge.
9. Jury deliberations.
10. Reporting of the verdict.

Figure 7.1. Outline of steps in a mock trial of a criminal case.

After participating in a classroom mock trial, you will be able to:

- *Demonstrate in-depth knowledge of legal issues and theories.*
- *Demonstrate understanding of trial procedures and courtroom decorum.*
- *Demonstrate the ability to discuss justice and fairness with other citizens.*
- *Demonstrate perspective taking ability in describing different points of view on an issue.*

Designing the Assessment

The small group that worked to develop strategies for assessing mock trial quickly determined that no single assessment could provide all the information they would want to have to adequately judge student achievement. In fact, many criteria on the observation form actually provide more information about language arts skills than about individual student's understanding of judicial process.

Setting up the Instruction

A basic outline of the procedures and players in a mock trial is found in Figure 7.1. Approaches to using mock trials vary. Theresa Murray makes a strong case that students benefit from a learning-by-doing environment. She feels that literacy is the most basic skill of citizenship. If students are practicing and improving reading, writing, and listening skills in an authentic context, she feels that her students are meeting important citizenship goals. Many teachers report that students who lack writing skills often demonstrate their skills and knowledge through the oral presentations of a mock trial.

At the beginning of the year, Theresa selects cases that are close to student experience, such as one involving two teenagers at a video arcade. Here is how Theresa describes her experience in using mock trials in her eighth-grade classroom:

"Your honor, my name is Erica Lane, the Prosecutor representing the People of Oregon in this action. Martin Mann is currently a 3.11 G.P.A. student at Westdale High School. He plays football and is also in the spring track team. He gets along with everybody and has no police or school record.

"We will prove Martin Mann was brutally attacked with a 2 X 4 by Brad Stevens for no apparent reason. We will be calling four witnesses to the stand and ask for their testimony.

"Martin Mann will tell us that Brad Stevens attacked him with a 2 X 4 for no reason. Connie Cook will also testify what she witnessed on the night of June 4th. We'll also call Richard Cervantes, the video arcade manager, who was there that night and witnessed the assault. Finally,

we'll call Dr. Chen who was the emergency room doctor on June 4th. He will testify that Martin's condition that night was nearly fatal.

"After hearing this evidence, we're sure you will reach the decision that Brad Stevens was out of control and brutally attacked Martin Mann for no reason. We ask that you find Brad Stevens guilty of assault and award Martin Mann $20,000 for his medical costs and lost wages. Thank you."

"... students are learning more about the court system than they would by reading... a book."

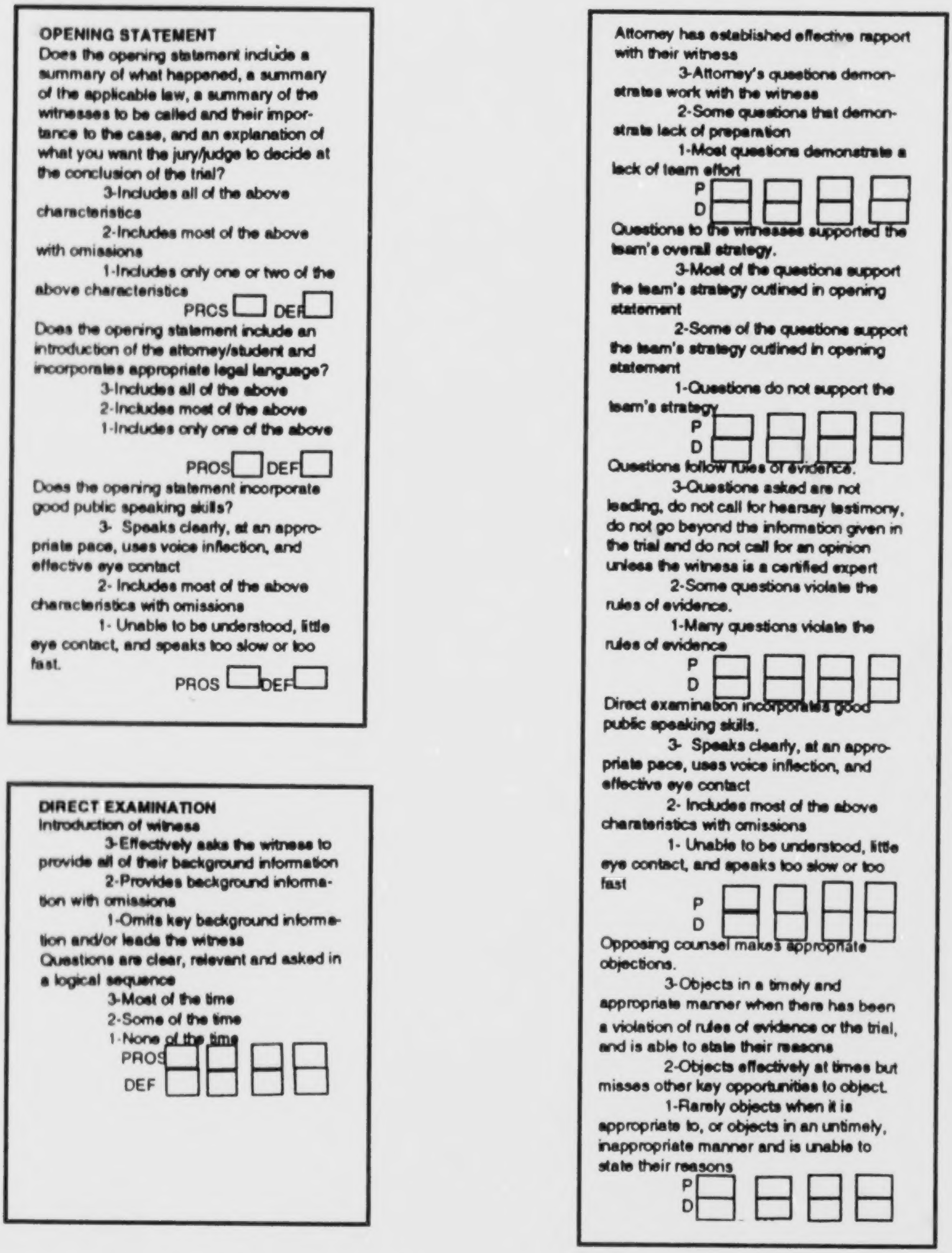
This prepared opening statement, written and presented by some of my eighth-grade students for the People v. Brad Stevens mock trial, is evidence that students are learning more about the court system than they would by reading about our court system in a book. In my classroom, students go through every major step of a criminal or civil trial. They complete active research, cooperative learning, and critical thinking.

Mock trials require students to use the language arts of reading, writing, speaking, and listening while they are learning social studies content. Students critically read the facts of the case as well as sworn witness statements to determine the points of their case. Students are involved in writing questions to bring out the main points of their case or questions to cast doubt during cross-examination of the opposing side. The witnesses and attorneys practice good speaking skills in the course of performing the trial. And all students sharpen listening skills as they play the roles of juror and attorney. Team members must listen to all testimony in order to effectively portray their case and find holes in the opposing side's case.

I spend a day or two setting up the trial by reviewing each "job" that is available and work that will be required of each. We also review and chart the order of events on newsprint for posting throughout the unit.

As a large group, we review the facts of the case we will be using. After extrapolating the facts for each side, we consider the theory of the case that each side may use. At this point, the students write down the three choices of roles they would like to play with reasons for their choices. On the following day, I hand out role assignments and introduce the criteria by which I will be evaluating performance in each part of the trial. Criteria have been outlined in a scoring rubric (see Figure 7.2).

In working with small groups who are preparing for their roles, I coach them for their performance. For example, I give the lawyers the following advice in writing questions for witnesses: (1) no question should ever ask for more than one fact at a time; (2) some facts may take several questions to bring out the necessary information; (3) begin by outlining the points of the case from the sworn statements and then evaluate each fact as to its relevance for the case—Will this fact help or hinder your case? Both defense and prosecution teams spend a great deal of time discussing which facts to emphasize and how to effectively get points across to the jury. Cross-examination questions are devel-



OPENING STATEMENT

Does the opening statement include a summary of what happened, a summary of the applicable law, a summary of the witnesses to be called and their importance to the case, and an explanation of what you want the jury/judge to decide at the conclusion of the trial?

3-Includes all of the above characteristics

2-Includes most of the above with omissions

1-Includes only one or two of the above characteristics

PROS ☐ DEF ☐

Does the opening statement include an introduction of the attorney/student and incorporates appropriate legal language?

3-Includes all of the above

2-Includes most of the above

1-Includes only one of the above

PROS ☐ DEF ☐

Does the opening statement incorporate good public speaking skills?

3- Speaks clearly, at an appropriate pace, uses voice inflection, and effective eye contact

2- Includes most of the above characteristics with omissions

1- Unable to be understood, little eye contact, and speaks too slow or too fast.

PROS ☐ DEF ☐

DIRECT EXAMINATION

Introduction of witness

3-Effectively asks the witness to provide all of their background information

2-Provides background information with omissions

1-Omits key background information and/or leads the witness

Questions are clear, relevant and asked in a logical sequence

3-Most of the time

2-Some of the time

1-None of the time

PROS ☐ ☐ ☐ ☐
DEF ☐ ☐ ☐ ☐

Attorney has established effective rapport with their witness

3-Attorney's questions demonstrates work with the witness

2-Some questions that demonstrate lack of preparation

1-Most questions demonstrate a lack of team effort

P ☐ ☐ ☐ ☐
D ☐ ☐ ☐ ☐

Questions to the witnesses supported the team's overall strategy.

3-Most of the questions support the team's strategy outlined in opening statement

2-Some of the questions support the team's strategy outlined in opening statement

1-Questions do not support the team's strategy

P ☐ ☐ ☐ ☐
D ☐ ☐ ☐ ☐

Questions follow rules of evidence.

3-Questions asked are not leading, do not call for hearsay testimony, do not go beyond the information given in the trial and do not call for an opinion unless the witness is a certified expert

2-Some questions violate the rules of evidence.

1-Many questions violate the rules of evidence

P ☐ ☐ ☐ ☐
D ☐ ☐ ☐ ☐

Direct examination incorporates good public speaking skills.

3- Speaks clearly, at an appropriate pace, uses voice inflection, and effective eye contact

2- Includes most of the above charateristics with omissions

1- Unable to be understood, little eye contact, and speaks too slow or too fast

P ☐ ☐ ☐ ☐
D ☐ ☐ ☐ ☐

Opposing counsel makes appropriate objections.

3-Objects in a timely and appropriate manner when there has been a violation of rules of evidence or the trial, and is able to state their reasons

2-Objects effectively at times but misses other key opportunities to object.

1-Rarely objects when it is appropriate to, or objects in an untimely, inappropriate manner and is unable to state their reasons

P ☐ ☐ ☐ ☐
D ☐ ☐ ☐ ☐

Figure 7.2. Theresa Murray's mock trial rubric.

© SSEC

CROSS EXAMINATION

Effective use of questions

3-The attorney asks questions related to direct examination, contains or suggests the answers, and are short and simple and do not badger the witness.

2-Some questions asked are effective

1-Questions require narrative responses and would be more appropriate as direct examination.

P ☐ ☐ ☐ ☐
D ☐ ☐ ☐ ☐

Questions reflect the overall team strategy.

3-Questions attack the credibility of the witness, requires agreement, and supports the team stategy outlined in opening statement.

2-Some questions meet the qualifications above.

1-Does not attack credibility, allows the witness to explain themselves, and does not relate to the team strategy.

P ☐ ☐ ☐ ☐
D ☐ ☐ ☐ ☐

Cross examination incorporates good public speaking skills.

3- Speaks clearly, at an appropriate pace, uses voice inflection, and effective eye contact

2- Includes most of the above charateristics with omissions

1- Unable to be understood, little eye contact, and speaks too slow or too fast

P ☐ ☐ ☐ ☐
D ☐ ☐ ☐ ☐

Opposing counsel makes appropriate objections.

3-Objects in a timely and appropriate manner when there has been a violation of rules of evidence or the trial, and is able to state their reasons

2-Objects effectively at times but misses other key opportunities to object.

1-Rarely objects when it is appropriate to, or objects in an untimely, inappropriate manner and is unable to state their reasons

P ☐ ☐ ☐ ☐
D ☐ ☐ ☐ ☐

WITNESS

Effective presentation in direct examination.

3-Convincingly tells the story and is responsive to questions asked without being narrative

2-Knows the story but sounds rehearsed and not original

1-Unclear on the facts, unconvincing, and not responsive

P ☐ ☐ ☐ ☐
D ☐ ☐ ☐ ☐

Witness testimony incorporates good public speaking skills.

3- Speaks clearly, at an appropriate pace, uses voice inflection, effective eye contact, and uses appropriate gestures and facial expressions

2- Includes most of the above charateristics with omissions

1- Unable to be understood, little eye contact, and speaks too slow or too fast with few gestures or facial expressions

☐ ☐ ☐ ☐
D ☐ ☐ ☐ ☐

Effective presentation in cross examination.

3-Remains calm, unshaken, and consistent in their story.

2-Has some difficulty handling questions in character.

1-Gets confused and is unable to stay in character.

P ☐ ☐ ☐ ☐
D ☐ ☐ ☐ ☐

Figure 7.2. cont'd.

© SSEC

CLOSING ARGUEMENT

Does the closing arguement highlight the key facts brought out through witness testimony during the trial?

3- Makes reference to key testimony from both sides

2-Makes reference to some key facts but omits others.

1- Misses opportunity to highlight key testimony

P ☐ D ☐

Does the closing arguement integrate key testimony with the applicable law, and articulates what you want and support why you want the jury/judge to decide in your favor?

3-Demonstrates a clear and accurate relationship between the key testimony and the applicable law and convincingly state your team's position

2-Attempts to integrate key testimony with the law and is barely convincing

1-Fails to integrate facts with the law and does not convincingly state a position

P ☐ D ☐

Does the closing arguement show the weaknesses in the opposing side's testimony and arguements?

3-Accurately identifies weaknesses in the opposition's case

2-Notes some weaknesses but misses other key weaknesses.

1-Inaccurately or fails to identify weaknesses in the opposition's case.

P ☐ D ☐

Closing arguement incorporates good public speaking skills.

3- Speaks clearly, at an appropriate pace, uses voice inflection, effective eye contact, appropriate gestures and is able to hold the attention of the judge/jury

2- Includes most of the above charateristics with omissions

1- Unable to be understood, little eye contact, and speaks too slow or too fast with few gestures P ☐ D ☐

Figure 7.2. cont'd.

© SSEC

oped in a similar fashion. I direct the student attorney with this assignment to (1) outline the facts and look for holes in the opposite side's witnesses—What can you bring out or emphasize that will cast doubt in the jury/judge's mind—and (2) write questions that require a yes or no answer so that witnesses cannot elaborate.

I provide two or three days of class time to prepare. I usually invite local attorneys into the classroom to look over the questions developed by the teams. The interaction between students and attorneys increases student pride and raises the level of work. Attorneys are very good at helping students with their presentation skills. Visits to the courthouse also enhance students' understanding of the context for judicial processes and helps to establish expectations for proper courtroom decorum for classroom-based simulations.

Following a day of dress rehearsal, the actual trial is presented, allowing two class periods per trial. While observing both the dress rehearsal and the actual trial, I use the scoring rubric to provide students with feedback regarding the quality of their performance.

I recommend videotaping the trial proceedings as part of the assessment process. Not only do students enjoy watching their performance, the videotape provides me an opportunity to provide feedback to individuals and the class on various aspects of the performance. I stop the videotape periodically and also provide each student with my ratings so they can watch it later and compare their assessment of performance with mine.

The debriefing of the trial is vital to the learning experience. I allow time for all students to express opinions regarding the process of the trial, their feelings about the experience, and what might be done differently in a future trial. The information that students provide in this activity is often closely related to the criteria for performance of roles. I try to raise the discussion to another level—to get students to focus on the value of the adversarial process in a democracy. The questions I ask include such things as:

- *If you win the verdict, are you therefore right?*
- *Do you agree with the verdict? Explain your answer.*
- *Hypothetical questions such as:*

    What if one of the attorneys had worked for the election of the judge?

    What if the judge had ruled differently on evidence?

    What if the jury had disregarded the judge's instructions?

- *Was the judge fair? Did he favor one side or the other? Cite evidence. Did he influence the outcome of the trial? Cite examples.*
- *At what point (what evidence, argument, witness, etc.) caused you to make a decision on the outcome of the case?*

© SSEC

- *Was a trial (by jury) the best way to resolve this conflict? What were the alternatives? Bench v. Jury.*
- *Can you identify any bias in the process?*
- *How did the process of a trial help or hinder achieving justice?*

Through the assessment writing conference, I worked on criteria for evaluating student learning based on their contributions to the discussion (see Figure 7.3). In addition to the discussion, I assign each individual an opportunity to write an essay using similar open-ended questions (see Figure 7.4).

Theresa has also used historically-based trials such as the case of the Scottsboro Nine from *Great Trials in American History*. Her students, fascinated with the facts of this Jim Crow case, initiated a project in which they enacted the trial to better understand the issues.

Teachers who have reviewed the scoring rubric in Figure 7.2 have mixed reactions to its appropriateness for their classrooms. Two high school teachers who piloted the mock trial assessment that Theresa developed with Greg Clevenger made significant adaptations from the initial development.

Nancy Deese, teacher and department chair at Naperville (IL) North High School, used the scoring rubric developed by Theresa and Greg with the reenactment of an 1894 trial, *Illinois v. Eugene V. Debs*. Nancy has used a mock trial for several years to evaluate students' understanding of power struggles between big business, labor, and government as illustrated in the Pullman strike. To set up the mock trial as an assessment task, she reviewed the format for a trial, provided biographies of the prosecution and defense witnesses at the trial, and highlighted background information from the textbook.

Nancy used the mock trial as an assessment task in which students were expected to establish positions representing actual characters and their perspectives. Students used factual knowledge about big business, labor, and governmental policies in the late 19th century to demonstrate broad understanding of business labor relations in the Gilded Age, as well as an understanding of the trial process as a means for resolving disputes.

In reflecting on the effectiveness of the assessment, Nancy observed:

I have always felt that this activity was effective and I have used it over the years with all levels of American History students—from advanced placement level to my basics. I have found that while the vocabulary and the depth of critical thinking may vary from level to level, each has come away from the activity with a greater depth of understanding of not only the interactions among labor, business, and government, but also of the trial process. Inevitably, at the end of the semester when I have students evaluate the course, this activity rates highly both

"I found the process of providing scoring criteria in advance to be much more substantive and accurate and I thought that the students also felt that they received more in the way of feedback to justify their grades at the end. The scoring itself was not difficult—the challenge is getting the task underway rather than in evaluating the final product."

MOCK TRIAL DEBRIEF DISCUSSION

CONTENT

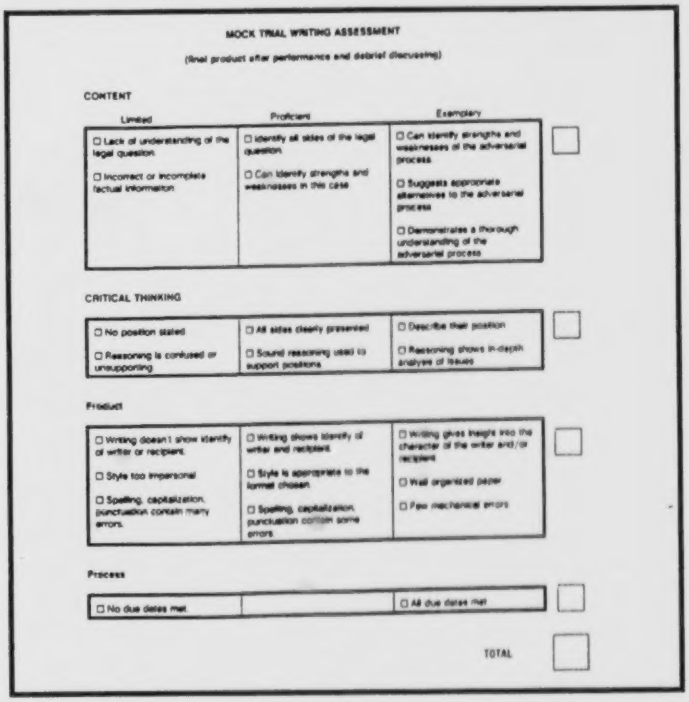
Limited	Proficient	Exemplary	
☐ Recognizes only one aspect of the problem (e.g., strengths) but does not consider other aspects (e.g., weaknesses or alternatives). ☐ Uses pertinent information from case but does not use information to support position. Information is not connected to position or uses personal argument rather than evidence from the case. ☐ Does not recognize strengths/weaknesses/alternatives to process.	☐ Does not use pertinent information from case or trial procedures to support position. ☐ Does not recognize alternative positions or simply identifies each side or position without clear analysis. E.g., "both sides had good arguments...," but doesn't summarize strengths and weaknesses of their position.	☐ Uses knowledge of trial procedures and case content in supporting position. For example, "I had something important to say but my attorney chose or forgot not to ask the question." ☐ Identified all sides of the legal question presented in the case. Can take a position that's not one's own, justify it, and evaluate its strengths and weaknesses. ☐ Can identify strengths/weaknesses/alternatives of the adversary process.	☐

PROCEDURAL

Limited	Proficient	Exemplary	
☐ Invites contributions implicitly or explicitly. ☐ Responds constructively to ideas expressed by at least one other person. ☐ Tends not to make negative statements.	☐ Engages in an extended interchange with at least one other person. ☐ Paraphrases important statements as a transition or summary. ☐ Asks another person for an explanation or clarification germane to the discussion. ☐ Does not inhibit contributions from others.	☐ Engages in more than one sustained interchange. ☐ Summarizes and assesses the progress of the discussion. ☐ Makes no comments that inhibit contributions from others and intervenes if others do.	☐

TOTAL ☐

Figure 7.3. Criteria for discussion following a mock trial.



MOCK TRIAL WRITING ASSESSMENT

(final product after performance and debrief discussing)

CONTENT

Limited	Proficient	Exemplary	
☐ Lack of understanding of the legal question ☐ Incorrect or incomplete factual information	☐ Identify all sides of the legal question ☐ Can identify strengths and weaknesses in this case	☐ Can identify strengths and weaknesses of the adversarial process ☐ Suggests appropriate alternatives to the adversarial process ☐ Demonstrates a thorough understanding of the adversarial process	☐

CRITICAL THINKING

☐ No position stated ☐ Reasoning is confused or unsupporting	☐ All sides clearly presented ☐ Sound reasoning used to support positions	☐ Describe their position ☐ Reasoning shows in-depth analyses of issues	☐

Product

☐ Writing doesn't show identify of writer or recipient. ☐ Style too impersonal ☐ Spelling, capitalization, punctuation contain many errors.	☐ Writing shows identify of writer and recipient. ☐ Style is appropriate to the format chosen. ☐ Spelling, capitalization, punctuation contain some errors.	☐ Writing gives insight into the character of the writer and/or recipient ☐ Well organized paper ☐ Few mechanical errors	☐

Process

☐ No due dates met.		☐ All due dates met	☐

TOTAL ☐

Figure 7.4 Rubric for post-mock trial writing assignment.

© SSEC

in terms of what has been learned and how much involvement they had in it. This year was the first in which I had this assessment tool to use to evaluate their understandings and levels of achievement. In the past I graded them on participation and through a writing exercise at the end. I found the process of providing scoring criteria in advance to be much more substantive and accurate and I thought that the students also felt that they received more in the way of feedback to justify their grades at the end. The scoring itself was not difficult—the challenge is getting the task underway rather than in evaluating the final product.

Rick Nagel, a law teacher at Franklin High School in Seattle, Washington, volunteered to test the scoring rubric that Theresa developed for her middle school classes. Following a quick review of the criteria, Rick realized that the knowledge and format that he used for mock trials in the context of a high school program was very different from an interdisciplinary middle school approach, in which a mock trial was a smaller piece of the curriculum. In Rick's Law and Society class, mock trials are used extensively. Because each student participates in three mock trials during the semester, all students experience the role of attorney, witness, and juror. Rick designed a rubric that can be easily dissembled so that each attorney and witness receives sheets evaluating individual performance. Rick reports that students were very receptive to his efforts to familiarize them with the criteria through the use of a videotape of a Franklin team that had competed successfully in the state mock trial competition.

There was extraordinarily enthusiastic participation from students of all ability levels, and they appreciated my efforts to familiarize them with the rubric and assessment sheet beforehand. The grade-conscious students were particularly appreciative of the assessment *aspect of the activity; everyone appreciated its* authenticity.

Working non-stop over a long weekend, Rick developed a scoring rubric that was specific to the roles and format that he uses with mock trials. The scoring criteria he developed have been refined over a two-year period using feedback from colleagues: "I have responded to the very valid criticism that my rubric and individual student assessment sheets were not in harmony." Rick's scoring rubric (Figure 7.5) addresses some of the technical aspects of trial procedure that were not relevant to the middle school students. In addition to designing criteria for each part of the lawyer work, he also developed a "team strategy" criterion that was later refined by Jackie Johnson (Figure 7.6).

© SSEC

MOCK TRIAL ASSESSMENT RUBRIC

ATTORNEY

OPENING STATEMENT

EXEMPLARY (4)

Clearly presents a credible case theory and forthcoming witness testimony in a well-organized, entertaining, memorable fashion without arguing the case, poised, confident and articulate delivery without reliance on notes is extraordinarily persuasive, good eye contact w/jurors maintains their interest, appropriate attire

PROFICIENT (3)

Clearly presents a plausible case theory and forthcoming witness testimony in a coherent,well-organized manner, but reliance on notes detracts somewhat from the persuasiveness of the presentation, appropriate attire

ADEQUATE (1-2)

Has prepared an opening statement that provides a preview of the forthcoming testimony; extensive reliance on notes detracts so significantly from persuasiveness of the presentation that the jurors' attention is noticeably lost

ATTORNEY

QUESTIONING OF WITNESSES

EXEMPLARY (4)

Questions, as a whole, clearly show a relationship to the attorney's case theory and are non-leading, questions develop testimony fully and consistent with a credible theory of the case, gets to the point and stops, uses leading questions in cross examination consistently and effectively to cast doubt on opponent's case theory and to strengthen one's own, questioning is poised, articulate and confident purposeful and shows considerable pre-trial preparation, objections and responses to opponent's objections demonstrate a clear grasp of the basic Simplified Rules of Evidence.

PROFICIENT (3)

Questions develop testimony in a manner consistent with a credible case theory using non-leading questions, few irrelevant questions, uses leading questions effectively in cross examination to cast doubt on opposing witness's testimony and to strengthen own case theory, questioning is articulate and purposeful, objections and responses to opponent's objections shows some familiarity with the basic Simplified Rules of Evidence

ADEQUATE (1-2)

Non-leading questions used to advance case theory, leading questions used in cross examination to cast doubt on opposing witness's testimony and to strengthen own theory, demonstrates little or no understanding of the basic Simplified Rules of Evidence

Figure 7.5. Mock trial rubric designed for high school law students.

ATTORNEY

CLOSING ARGUMENT

EXEMPLARY (4)

A persuasive argument that clearly and persuasively relates the testimony and evidence to the theory of the case and to the law as given by the judge. anticipates and persuasively refutes opponent's theory of the case or -if the prosecutor or the counsel for the plaintiff - persuasively rebuts the defense argument. confident. poised, articulate delivery that makes minimum use of notes

PROFICIENT (3)

Clearly relates the testimony and evidence to both the the attorney's theory and the applicable law, shows some but is less persuasive than the ***exemplary*** closing argument because (1) there is excessive reliance on notes, or (2) the defense closing (or the rebuttal of the prosecutor or plaintiff) is only partially responsive to the argument that preceded it

ADEQUATE (1-2)

Relates the testimony and evidence to a plausible theory and to the law of the case, but there are significant omissions, most of the argument is read, little evidence of "thinking on one's feet"- i e., anticipating and rebutting the opponent's argument

WITNESS

EXEMPLARY

Portrayal of role is so thoroughly credible and infused with personality that it seems as if the witness is testifying to actual events, answers to questions are responsive and correspond to that witness's affidavit, poised. articulate, confident delivery, maintains credibility and demeanor in cross examination,

PROFICIENT (3)

Portrayal of role is credible and effective, answers to questions are responsive and correspond to witness's affidavit, poised, articulate, confident delivery, generally credible during cross examination, but may be impeached effectively once or twice as a result of failure to anticipate a question or line of inquiry

ADEQUATE (1-2)

Portrayal of role is credible, answers to questions usually correspond to witness's affidavit, though it is clear that the witness is not in complete command of the information in the affidavit, some effective responses to impeachment attempts on cross examination,

Figure 7.5. cont'd.

2. UNDERSTANDS AND CONTRIBUTES TO TEAM STRATEGY (circle scores):

3: Exemplary: questions and/or responses clearly demonstrate that the team has a coherent, persuasive theory of the case; lawyer and witness clearly have reviewed questions and answers in advance; questions and responses show an anticipation of and strategy for dealing with the adversary's theory of the case; attorneys critique each other's preparation for trial and confer, pass notes, and otherwise show signs of collaboration during the trial itself.

2: Proficient: the interaction between the attorneys and witness shows preparation, but it is clear at times that more reviewing of questions and answers would have made for a more effective presentation; the theory of the case can be discerned, and is not clearly contradicted, but it could have been more persuasively and convincingly highlighted; attorneys show some indication of collaboration, but not in all instances where it might have helped.

1: Basic: there does not seem to be a theory of the case, or mutually contradictory theories are offered; there is a clear lack of preparation on the part of lawyers and witnesses, with many questions clearly being a surprise to the witness; there is virtually no sign of teamwork or collaboration among the attorneys, either pre-trial or during the trial.

Comments:

Figure 7.6. Rubric for team strategy criterion.

Assessing Jury Performance

Some teachers recognized a disjuncture between their stated goals (citizen analysis of the adversarial system) and what they were assessing (speaking and listening skills). For some of these teachers, enhancing the role of the jury helped them to accomplish the goal of keeping a focus on the justice system.

To emphasize the important role of citizen, one teacher in the project had all students who had participated in the trial observe jury deliberation in a "fish bowl" format. She used a checklist as the rubric for jurors (Figure 7.7). Jurors used the checklist as a self-assessment and the teacher provided feedback as well.

Larry Black, a high school teacher from Oregon, chose to focus on the role of the juror as the role that we want most citizens to fill. He used separate scoring criteria for the trial and for deliberation (Figure 7.8).

Teachers' emphasis on the role of the jury in the mock trial is timely, as it coincides with bar, bench, and citizen discussion about the need to reform the jury system. The right to a fair trial is to be preserved.

Challenges and Issues

As compelling as teachers' testimony about the impact of participating in mock trials may be, issues clearly remain to be resolved. Teachers are still working toward ways in which to determine what all students are learning as a result of mock trials. Instruction and assessment must be aligned with content standards and learning outcomes so that the mock trial is a means of achieving those ends, rather than an end in itself.

MOCK TRIAL PERFORMANCE ASSESSMENT

JURY MEMBERS
CRITERIA FOR BEING A FAIR AND IMPARTIAL JUROR

VOIR DIRE
_____Gives full and honest answers to judge and lawyer questions.
_____If cannot be fair, says so.
_____Takes questions to the bailiff.

Comments:

KNOWLEDGE OF THE CASE
_____Attentive during trial.
_____Remembers facts presented in courtroom.
_____Considers all testimony, exhibits, and evidence.

Comments:

APPLICATION OF THE LAW
_____Follows the judge's directions.
_____Maintains a fair and impartial attitude.
_____Judges evidence within the guidelines.

Comments:

DISCUSSION/DELIBERATION SKILLS

_____Avoids discussing the case, except in the jury room.
_____Practices good listening skills.
_____Asks questions to clarify reasoning of other jurors.
_____States ideas directly and honestly.
_____Votes at appropriate points.
_____Gives eye contact when speaking to others.

Comments:

Figure 7.7. Juror checklist.

© SSEC

TRIAL PHASE GRADING SHEET FOR JURORS

JUROR ______________________________

4 EXEMPLARY **3 PROFICIENT** **2** **1 UNSATISFACTORY**

A The student is focused on the key facts that are being presented and determining the credibility of each witness

4. an accurate list of witnesses and notes on the key elements of their testimony.
3. an accurate list of witnesses and some elements of the testimony
2. a partial list of witnesses and a partial list of their testimony
1. few notes that are not organized or relevant

B The student is present and attentive during the trial and follows courtroom procedures.

4 attentive and present at all sessions of the trial with needed materials, caused no interruptions
3 attentive and present at most of the trial with needed materials and no interruptions.
2 somewhat attentive or present at some of the trial or caused minor disruptions
1 not very attentive, didn't bring notes, caused distraction or was absent during most of the testimony

C The student understands the evidence or exhibits presented by each side during the case

4 evidentiary section of notes is organized with brief description of any evidence or exhibit and which testimony it supports.
3 most of the evidence and its application is listed in notes
2 some evidence is listed, notes are somewhat confusing, not sure of evidence application
1 few evidentiary notes, evidence not associated with testimony

JURY DELIBERATION RUBRIC

JUROR ______________________________

4 EXEMPLARY **3 PROFICIENT** **2** **1 UNSATISFACTORY**

A The juror understood the applicable law(s) of this case

4 — gives a clear explanation of which law(s) apply to this case
— provides precise penalties that the defendant might face
— responses indicate an exact understanding of judge's instructions as they apply to the law

3 — shows an understanding of which law(s) apply to this case
— is able to present most of the penalties related to the applicable law
— responses indicate a fairly clear understanding of the judge's instructions as they apply to the law

2 — shows some understanding of which law(s) apply to this case
— is able to present some of the penalties related to the applicable law
— responses indicate an adequate understanding of the judge's instructions as they apply to the law

1 — shows very little understanding of which law(s) apply to this case
— is able to present few penalties related to the applicable law
— responses indicate little understanding of the judge's instructions as they apply to the law

B The juror offered an opinion concerning the case and supported that opinion with facts

4 — clear opinion is supported by reference to specific testimony, facts, and exhibits

3 — opinion clearly defined and supported by some detailed facts

2 — opinion not clearly defined showing adequate knowledge of facts

1 — opinion easily influenced with little knowledge of the facts

C. The juror used the appropriate negotiation skills of persuasion or compromise

4 — provides reasoned arguments to support position in order to induce other jurors
— makes concessions only after thoughtful consideration by questioning arguments from opposing viewpoint
— speaks clearly and with excellent inflection
— maintains excellent eye contact with other jurors

3 — provides good arguments to support position in order to induce other jurors
— makes concessions after consideration and questioning of arguments from opposing viewpoint
— can be understood and speaks with good inflection
— maintains good eye contact with other jurors

— provides some argument to support position in order to induce other jurors
— makes concession after some consideration of arguments from opposing viewpoint
— responses not clearly articulated and has some inflection
— maintains minimal eye contact with other jurors

1 — provides little argument to support position in order to induce other jurors
— makes concession quickly with little consideration of arguments from opposing viewpoint
— is asked to repeat because of not being able to be heard and speaks with monotone
— maintains little or no eye contact with other jurors

D The juror understood and abided by judge's instructions for deliberation

4 — clearly understands who has the burden of proof
— clearly understands what the burden of proof is based on
— clearly understands procedures as instructed for reaching a verdict
— carefully weighs the evidence as instructed

3 — has a fairly clear understanding of the judge's instructions for reaching a verdict
— weighs the evidence as instructed

2 — has some understanding of the judge's instructions for reaching a verdict
— gives some weight of the evidence as instructed

1 — has little understanding of the judge's instructions for reaching a verdict
— gives little weight of the evidence as instructed

E The juror listens attentively and responds to opinions of the other jurors

4 — clearly attentive to statements of other jurors
— asks questions to clarify remarks of other jurors
— adds reinforcement to remarks of other jurors

3 — is attentive to statements of other jurors
— asks few questions to clarify remarks of other jurors
— adds some reinforcement to remarks of other jurors

2 — seems somewhat attentive to statements of other jurors
— asks questions that are directed to the position rather than for clarification of remarks of other jurors
— adds little reinforcement to remarks of other jurors

1 — shows little attention and is often preoccupied with something else
— questions asked may not be relevant
— simply agrees with remarks of other jurors

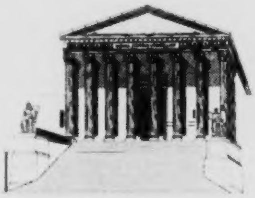
Figure 7.8. Scoring criteria for jurors.

Reflection/Exercise

Return to the first exercise in this chapter. Has anything you have read changed your views on Positions A and B? How would you assess student learning as a result of participating in a mock trial?

Moot Court

Moot courts are simulations of a court of appeals or Supreme Court hearing. The court, composed of a panel of justices, agrees to hear a case in which a lower court's decision is disputed. Appellate hearings occur when the constitutionality of a law is challenged, or when the losing party in a trial court makes a case that error of law was made in a lower court. The focus of appellate courts is on the application of the law—statutes and cases that serve as precedent. Rather than deciding guilt or innocence, appellate courts affirm or reverse lower court arguments.

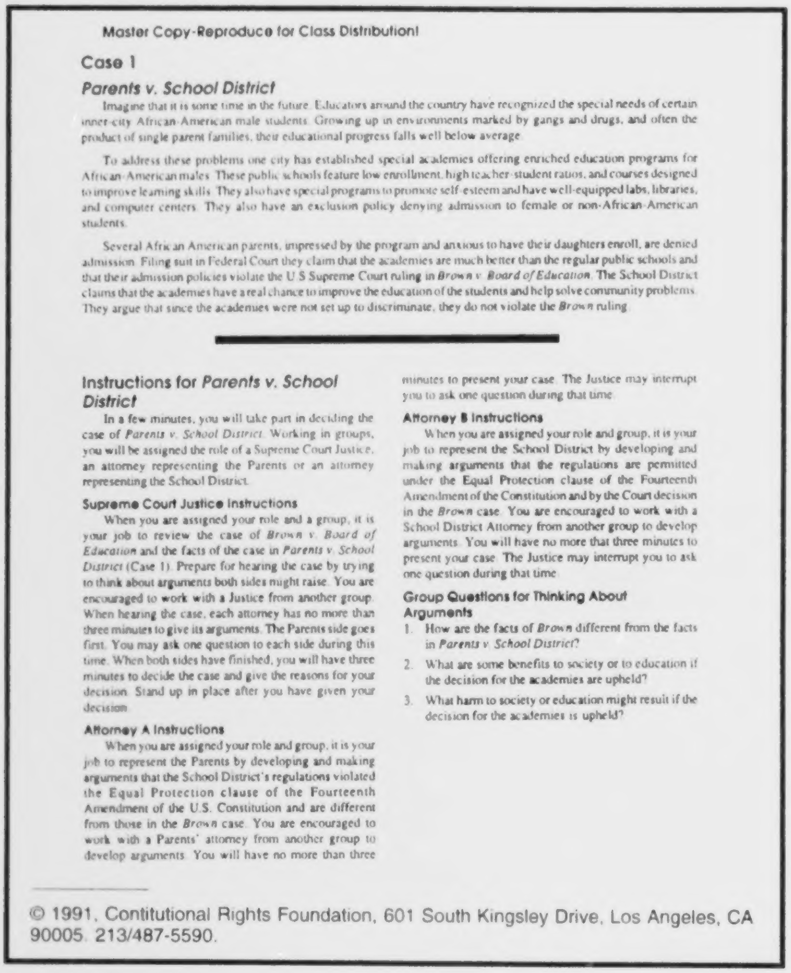


A fact of contemporary life and a reflection of the history of the United States is that most of our most pressing public issues are subjected to judicial review and debate in state and U.S. Supreme Courts. It is through these judicial debates that some questions are resolved and even more are raised. The arguments presented to the Supreme Court in cases such as *Roe v. Wade* and *Brown v. Board of Education* remain relevant to our lives because, as a society, we are still grappling with similar constitutional issues and with the need to define rules that will help us live together with our differences.

Purposes of Moot Court Activities

Moot courts are an effective strategy for helping students see the relationship between law and social change. Questions of public policy can be explored from multiple perspectives within the context of the rule of law and underlying principles and concepts of justice. Because there are no witnesses or testimony related to the facts, students can focus directly on substantive arguments rather than court procedure. In fact, many of the instructional and assessment issues inherent within the mock trial are addressed through moot court simulations—all students fill roles of lawyers and judges, thereby experiencing substantive analysis; the focus is on indepth analysis of judicial interpretation of public policy from a constitutional perspective; and less class time is needed, particularly for a modified moot court such as that in Figure 7.9.

Moot courts can be developed to explore a wide range of issues through actual or hypothetical situations. A new course—*The Supreme Court (1954-1994)*—at Naperville North High School in suburban Chicago, Illinois, illustrates how this can happen. The course begins by providing students of all ability levels with basic training in legal research and legal reasoning. Time is spent in the law library learning how to find and cross reference cases. With assistance from a lawyer serving as resource person, students research "assault." In the process, students develop a historical perspective on the law as well as research skills. One class found North Carolina cases from the 1850s and 1860s in which charges against a teacher for slapping a student were dismissed because the act was deemed similar to a husband beating a wife—a practice that was considered socially acceptable and within the law in the 19th century. Through discussion and analysis of current laws and definitions of assault, students begin to realize that law changes with



Master Copy-Reproduce for Class Distribution!

Case 1

Parents v. School District

Imagine that it is some time in the future. Educators around the country have recognized the special needs of certain inner-city African-American male students. Growing up in environments marked by gangs and drugs, and often the product of single parent families, their educational progress falls well below average.

To address these problems one city has established special academies offering enriched education programs for African-American males. These public schools feature low enrollment, high teacher-student ratios, and courses designed to improve learning skills. They also have special programs to promote self-esteem and have well-equipped labs, libraries, and computer centers. They also have an exclusion policy denying admission to female or non-African-American students.

Several African American parents, impressed by the program and anxious to have their daughters enroll, are denied admission. Filing suit in Federal Court they claim that the academies are much better than the regular public schools and that their admission policies violate the U.S Supreme Court ruling in *Brown v. Board of Education*. The School District claims that the academies have a real chance to improve the education of the students and help solve community problems. They argue that since the academies were not set up to discriminate, they do not violate the *Brown* ruling.

Instructions for *Parents v. School District*

In a few minutes, you will take part in deciding the case of *Parents v. School District*. Working in groups, you will be assigned the role of a Supreme Court Justice, an attorney representing the Parents or an attorney representing the School District.

Supreme Court Justice Instructions

When you are assigned your role and a group, it is your job to review the case of *Brown v. Board of Education* and the facts of the case in *Parents v. School District* (Case 1). Prepare for hearing the case by trying to think about arguments both sides might raise. You are encouraged to work with a Justice from another group. When hearing the case, each attorney has no more than three minutes to give its arguments. The Parents side goes first. You may ask one question to each side during this time. When both sides have finished, you will have three minutes to decide the case and give the reasons for your decision. Stand up in place after you have given your decision.

Attorney A Instructions

When you are assigned your role and group, it is your job to represent the Parents by developing and making arguments that the School District's regulations violated the Equal Protection clause of the Fourteenth Amendment of the U.S. Constitution and are different from those in the *Brown* case. You are encouraged to work with a Parents' attorney from another group to develop arguments. You will have no more than three minutes to present your case. The Justice may interrupt you to ask one question during that time.

Attorney B Instructions

When you are assigned your role and group, it is your job to represent the School District by developing and making arguments that the regulations are permitted under the Equal Protection clause of the Fourteenth Amendment of the Constitution and by the Court decision in the *Brown* case. You are encouraged to work with a School District Attorney from another group to develop arguments. You will have no more that three minutes to present your case. The Justice may interrupt you to ask one question during that time.

Group Questions for Thinking About Arguments

1. How are the facts of *Brown* different from the facts in *Parents v. School District*?
2. What are some benefits to society or to education if the decision for the academies are upheld?
3. What harm to society or education might result if the decision for the academies is upheld?

© 1991, Contitutional Rights Foundation, 601 South Kingsley Drive, Los Angeles, CA 90005. 213/487-5590.

Figure 7.9. Modified moot court activity.

societal norms—that precedents do not serve as hard-and-fast rules across time. Working with precedents and the process of judicial review, students begin to view law more realistically. They see that courts are often forced to choose between competing goods rather that "right" and "wrong." They also learn that, in a democratic society, laws are not static but that precedents do provide predictability. If kids understand legal cases, they will have a better understanding of the limits of public policy and why they exist.

Once students have an understanding of the use of precedents, legal principles and processes, and institutions, the students participate in six moot court simulations. In each simulation, they have an opportunity to analyze public policy issues by role-playing both lawyers and justices in a case argued before the Supreme Court. The issues and cases selected—right to die (Nancy Kruszan), silent prayer, free press v. fair trial, right to assemble (Skokie Nazi March), property forfeiture, and the death penalty (Furman v. Georgia)—provide a context for looking at controversies that involve students in the process of understanding policies through advocacy and judicial interpretation for competing positions about what the law is and what it should be.

The story of developing scoring criteria for the moot court is told through the experiences of the two teachers who developed and then refined rubrics in the context of high school law classes. Nancy Deese tested and refined assessment materials using Constitutional Rights Foundation's *The Drug Question*. The unit features an analysis of the exclusionary rule as applied to a police search of trash placed in front of a home in the case of *Greenwood v. California*. Rick Nagel used the rubric within a teacher-developed unit on Fifth Amendment protections based on Miranda and a series of cases that have been heard in appellate courts since 1967. In both Nancy's and Rick's classrooms, the moot court culminated an extended unit of study in which students demonstrated their ability to apply ideas and knowledge gained from an in-depth unit on the U.S. and/or state Supreme Court. The third teacher who contributed to the development of the materials below is Keith Chamberlain, a Colorado teacher who adapted Nancy and Rick's work for a moot court exercise on First Amendment issues using the CRF unit, *Punishing Hate: A Democracy's Dilemma*.

Guidelines for Using Moot Courts

Here are some guidelines for conducting and assessing a moot court based on their experience:

1. Select a case that raises questions relevant to the concept being studied. Provide an overview of the activities that students will be expected to complete and the criteria for exemplary work. Figure 7.10 provides an overview of moot court procedures.

2. Instruct students about the substantive issues embedded in the case and appellate judicial process. In Rick's classroom, students lis-

tened to the actual oral arguments in *Miranda* and viewed PBS's *Simple Justice*, which included a re-enactment of Thurgood Marshall's oral argument in *Brown v. Board of Education*. In preparation for the Greenwood case, Nancy provided lectures and discussion of the judicial system and Fourth Amendment cases. She also invited a panel of three resource people—a police officer, attorney, and judge—to share their perspectives on search warrants. Students were also presented with hypotheticals involving perspectives on the use of search warrants calling for application of Fourth Amendment knowledge. Nancy used a clip from the feature film, *Gideon's Trumpet*, to dramatize oral arguments before the Supreme Court. Keith provided his class with a practice moot court using teachers as judges.

3. Following a review of the case that has been selected, organize students into three groups: appellate judges (usually working in panels of 3 or 9), lawyers for the petitioner (the party seeking to reverse the lower court's decision), and lawyers for the respondent (the party arguing to affirm the lower court's decision). Some teachers divide the entire class into three groups for a single case. Others structure the assignment so that there are two sets of justices and corresponding groups of

Steps in a Moot Court Hearing

1. Statement of the appellant's (or petitioner's) case by attorneys for the appellant. Oral arguments are limited to a specific amount of time. While the court can grant extra time, it usually does not. The attorneys can reserve part of their time for rebuttal. In addition, the members of the court can interrupt the attorneys at any time to ask questions. Attorneys may not argue that the facts presented in the trial court are inaccurate. They should argue how the facts support their case and why legal precedents or theories support their position.
2. Statement of the respondent's (or supporting) case by attorneys for the respondent. The procedure is the same as for the appellant's attorneys.
3. Rebuttal by the appellant's attorneys, if time was reserved. No new arguments should be introduced during the rebuttal. The time should be used to counter the respondent's arguments.
4. Rebuttal by the respondent's attorneys, if time was reserved.
5. Deliberation by the panel of judges/justices.
6. Announcement of the court's decision and the reasons supporting it.
7. Class discussion of the decision.

Figure 7.10. Overview of moot court procedures.

attorneys dealing with different cases. For modified moot courts, triads in which a judge hears the case from lawyers for each side may be effective. In this example, the groups with same positions may get together in "coaching" groups to prepare to fill their respective assignments. Nancy Deese has effectively added the role of journalist for a large class of students. Students filling this role receive briefs, prepare questions for interviews, and prepare reports on the court's decision and reactions of the parties and public to the decision. According to Nancy, "The journalists were particularly pleased with their post-trial TV programs."

4. Assign students who are filling the roles of lawyers to write and submit legal briefs to the court. These briefs provide the factual background of the case, the legal issues before the court, and a persuasive argument as to whether the decision of the lower court should be affirmed or reversed. Justices select a Chief Justice to preside over the hearing. This role involves asking each side to present its case as well as recognizing questions from other justices. The justices study the legal briefs in preparation for oral arguments, discuss the issue before the court, and prepare questions for each side.

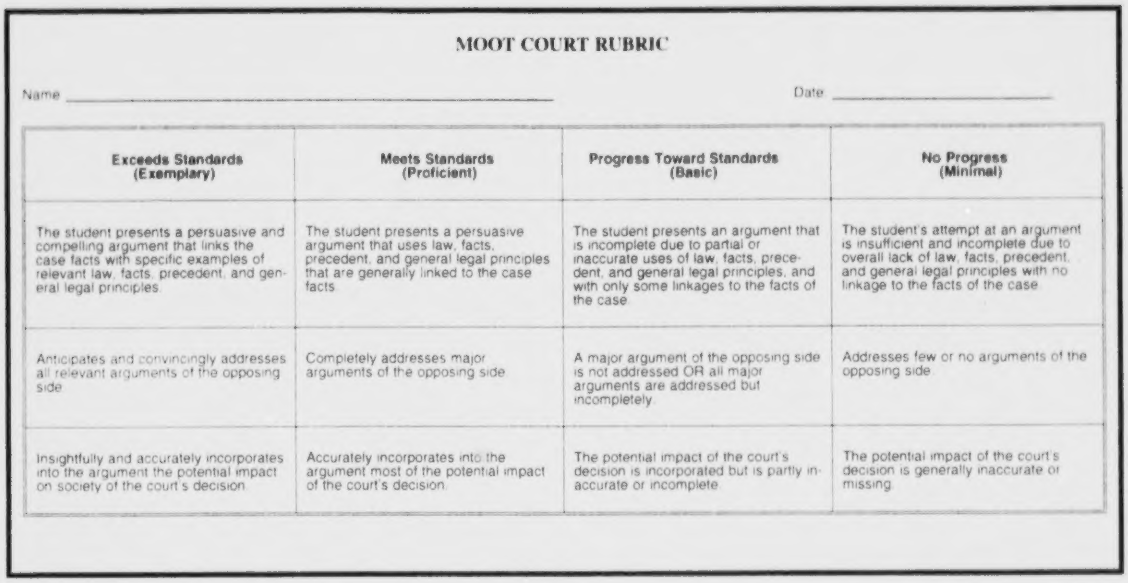
5. Provide the following guidelines for presentations:

- All details of the factual situation from the trial court should be considered. Teams may *not* argue that any of the facts are inaccurate.
- **Arguments do not need to be rooted in legal technicalities**. Any argument that is persuasive from a philosophical, theoretical, conceptual, or practical standpoint can be made.

Teams should rely on principles found or implied in the U.S. Constitution. Rick Nagel provides a practice sheet in which students review hypothetical cases and discuss how Miranda and progeny cases would apply.

6. Review the criteria for evaluating performance with students. The scoring rubric developed at the writing conference (Figure 7.11) presents substantive dimensions and is the same for both lawyers and judges. Some teachers show a video of oral arguments for students to score, and others discuss the criteria for good legal writing by providing samples of legal briefs.

Teachers who have field tested the scoring rubric have found it helpful to devise a checklist or separate grading sheet for each student (Figure 7.12). Lawyers are evaluated on the quality of their legal briefs and oral arguments. Justices are evaluated on the written and oral questions and on their written opinion. Nancy commented that "there is a built-in sense of fairness about the expectation. Each role is expected to participate in both written and oral forms, and each is evaluated on the same criteria."

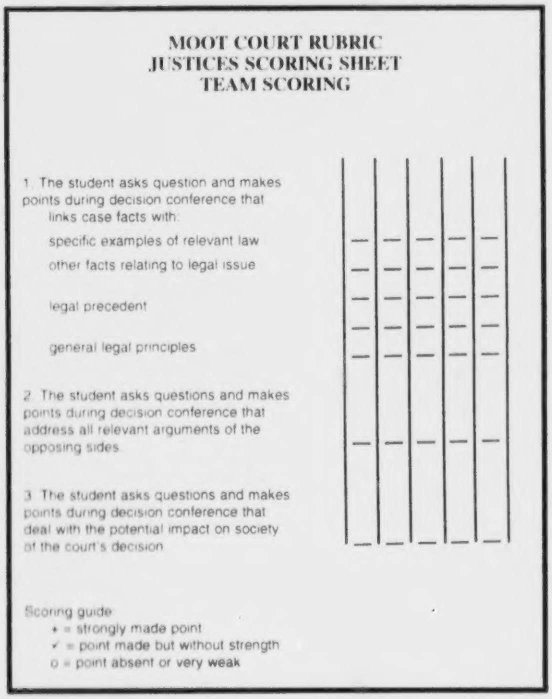


MOOT COURT RUBRIC

Name ______________________________ Date ______________

Exceeds Standards (Exemplary)	Meets Standards (Proficient)	Progress Toward Standards (Basic)	No Progress (Minimal)
The student presents a persuasive and compelling argument that links the case facts with specific examples of relevant law, facts, precedent, and general legal principles.	The student presents a persuasive argument that uses law, facts, precedent, and general legal principles that are generally linked to the case facts.	The student presents an argument that is incomplete due to partial or inaccurate uses of law, facts, precedent, and general legal principles, and with only some linkages to the facts of the case.	The student's attempt at an argument is insufficient and incomplete due to overall lack of law, facts, precedent, and general legal principles with no linkage to the facts of the case.
Anticipates and convincingly addresses all relevant arguments of the opposing side.	Completely addresses major arguments of the opposing side.	A major argument of the opposing side is not addressed OR all major arguments are addressed but incompletely.	Addresses few or no arguments of the opposing side.
Insightfully and accurately incorporates into the argument the potential impact on society of the court's decision.	Accurately incorporates into the argument most of the potential impact of the court's decision.	The potential impact of the court's decision is incorporated but is partly inaccurate or incomplete.	The potential impact of the court's decision is generally inaccurate or missing.

Figure 7.11. Moot court scoring rubric.



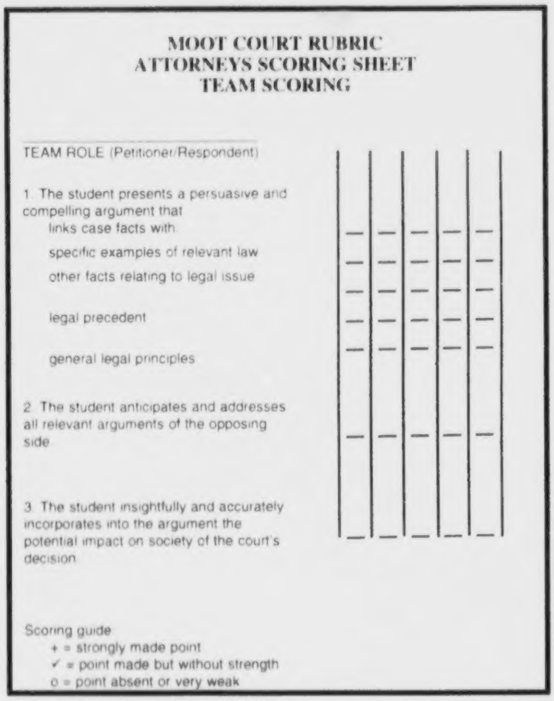
MOOT COURT RUBRIC
JUSTICES SCORING SHEET
TEAM SCORING

1. The student asks question and makes points during decision conference that
    links case facts with:
    specific examples of relevant law
    other facts relating to legal issue
    legal precedent
    general legal principles

2. The student asks questions and makes points during decision conference that address all relevant arguments of the opposing sides.

3. The student asks questions and makes points during decision conference that deal with the potential impact on society of the court's decision.

Scoring guide:
+ = strongly made point
✓ = point made but without strength
o = point absent or very weak



MOOT COURT RUBRIC
ATTORNEYS SCORING SHEET
TEAM SCORING

____
TEAM ROLE (Petitioner/Respondent)

1. The student presents a persuasive and compelling argument that
    links case facts with
    specific examples of relevant law
    other facts relating to legal issue
    legal precedent
    general legal principles

2. The student anticipates and addresses all relevant arguments of the opposing side.

3. The student insightfully and accurately incorporates into the argument the potential impact on society of the court's decision.

Scoring guide:
+ = strongly made point
✓ = point made but without strength
o = point absent or very weak

Figure 7.12. Grading sheets for lawyers and judges.

© SSEC

7. Arrange the room for the hearing. Justices should be seated in front. Attorneys for each side should sit on opposite sides facing the justices. If you are going to videotape the hearing, it is helpful to have microphones and two cameras—one focusing on the judges and the other on the attorneys.

8. Conduct the hearing. The time frame for the presentations vary widely. One teacher reported that the hearing was completed in 25 minutes while another allowed a double class period. Each side should have five to ten minutes for their initial arguments and five minutes for rebuttal. The chief justice asks for presentation of arguments in the following order:

- Appellant—initial presentation.
- Respondent—initial presentation.
- Appellant—rebuttal.
- Respondent—rebuttal.

During and after each presentation, the justices can and should actively question the attorney in an effort to clarify the arguments. Attorneys may ask for time to consult with other members of their team before answering questions.

9. After all arguments have been presented, organize the justices into a circle. The rest of the class can sit outside to listen, but cannot talk or interrupt the deliberations. Justices discuss all arguments and make a decision by a majority vote. Each justice should give reasons for his or her decision. You may wish to require written opinions to precede the discussion. If using journalists, their reports and editorials can be presented and critiqued for accuracy and persuasiveness.

10. Conclude with a class discussion of the decision. If the case is based on an actual Supreme Court decision, share the actual opinion(s)—majority and dissenting—with students for analysis of the court's reasoning.

Questions and Issues to Be Addressed

As with the mock trial, there are a range of instructional and assessment issues to be addressed based on our project's experience.

1. Scoring individual contributions within a group task. A major issue is assessing the role of the individual within a group project. Keith Chamberlain found that "it was difficult to assess whether every member of the team was proficient on every part of the task. The weakness of the assessment for individuals is reflected in a final product that represented a great deal of team work." Rick Nagel finds that a team score works well for him even though this practice is not acceptable for some. He allows students to divide the work as they wish; a student who may not have contributed to a written brief will still get credit for what his team member accomplished.

2. Time for simulated hearings. The teachers who field tested the scoring rubric did so with an in-depth unit of instruction. While the moot court fit within courses such as "Law and Society," "Constitutional Law," and "The Supreme Court from 1954-Present," teachers indicated they would not have the luxury of the time needed for such an activity within U.S. history survey courses. The strength of specialized courses is that students have the opportunity to practice—to learn from their mistakes. Thus, the challenge to teachers of survey courses is to teach content through the modified moot court.

3. Presenting expectations that are meaningful to students. Reported one teacher, "My students seemed a bit perplexed and bemused by the elaborate rating system. They didn't feel that the assigned task was too difficult, though few achieved "exemplary" level. They enjoyed the hearing, and took it very seriously. They felt the ratings were fair. I was disappointed that many students had a difficult time transcending the facts to engage in constitutional analysis."

4. Coaching justices to ask good questions. In viewing videotapes of moot courts, it was noted by most observers that students understood and developed the role of the advocate positions far more effectively than they did the role of asking questions as justices do. Nancy has had some success in improving students' ability to ask better questions by presenting lessons in which students listen to transcripts of arguments before the U.S. Supreme Court.

5. Determining what assessments would be useful or necessary as a supplement.

Reflection/Exercise

Below are listed the outcomes that teachers feel can be expected from participation in moot court. Students will be able to:

______1. Describe the process used by the U.S. Supreme Court to make decisions.

______2. Explain and use key principles of the Constitution and/or statutes.

______3. Describe how the meaning of the Constitution (and/or specific statutes) change over time.

______4. Work collaboratively to develop and refine a product.

______5. Apply foundational knowledge (e.g. specific case precedents) to new situations.

______6. Communicate ideas, both orally and in writing, that define, support, and/or clarify one or more positions about a legal controversy.

Evaluate the scoring rubrics in Figure 7.11. Place check marks by those outcomes on the list above that are successfully evaluated with the scoring rubrics. What assessment strategies might you suggest to collect information about those not checked?

Simulated Legislative Hearings

The well-worn political saying, "There are two things you want to avoid seeing made—sausage and laws," implies that law-making necessarily involves questionable motives and interaction. This premise is investigated and challenged by teachers who undertake simulated legislative processes as a means for helping young people develop the skills and knowledge to participate in civic life.

Materials are available for simulating an array of law-making bodies including school board, city council, citizen advisory committees, and congressional bodies. An example hearing activity from the Center for Civic Education's *Authority* unit is shown in Figure 7.13.

The We the People, the Citizen and the Constitution program developed by the Center for Civic Education is perhaps the most visible program for teaching students about government and politics through a simulated legislative hearing. While some programs are more authentic in replicating the processes of law-making, *We the People* has many strengths. The program involves whole classes of students at the upper elementary, middle, and high school levels in a comprehensive study of the U.S. Constitution and Bill of Rights. Following six units of instruction on the history and principles of the U.S. Constitution, the First Amendment, and the role of citizen, students take a multiple-choice test. Once 70 percent of the class gets a score of 70 percent or higher, they then prepare for a simulated congressional hearing. Each student is assigned to specialize in one of the six units. Each unit team prepares for a ten-minute hearing in which adults from their community question them about the historical and contemporary applications of the Constitution. The hearing begins with a three- to four-minute opening statement on a broad general question, followed by six to seven minutes responding to follow-up questions.

The scoring rubric in Figure 7.14 has been adapted from the Center for Civic Education's materials by the Oregon and Hawaii We the People programs. A panel of three judges rates a group on each of the six traits. Individual scores are not assigned. Following the scoring, judges give the students feedback on the strengths and weaknesses of their presentation. Their rubric is now being tested by teachers in other states.

While the Center sponsors a competitive format in all 50 states and at the national level, many teachers have found the hearing can be useful as a non-competitive classroom lesson. The Center has prepared the following checklist (Figure 7.15) of classroom characteristics to illustrate the relationship between performance assessment and the simulated congressional hearing. The We the People program and the simulated hearing have been analyzed by the Council for Basic Education as a promising performance assessment.

Dr. Deanna Morrison, teacher at East High School in Denver, Colorado, has prepared several classes to participate in a competitive simulated congressional hearing over several years. She says, "This competition is the most effective activity I have seen to motivate students to study and appreciate the Constitution and Bill of Rights." She values the hearing format because it requires students to synthesize vast amounts of information into a four-minute oral presentation and requires them to think on their feet in responding to questions from community leaders. Furthermore, to develop a good presentation, students must work in cooperative groups to do a good job. Students who have experienced competition at the local, state, and national levels find that they develop a deep understanding of constitutional issues. One of

A videotape featuring students from Deanna Morrison's class is available from SSEC.

Critical Thinking Exercise

IDENTIFYING AND WEIGHING BENEFITS AND COSTS

The Springville Unified School District is conducting a hearing on the issue of dress codes in the public schools. The school board has opened the hearing to any group which wishes to testify.

Your class should be divided into six groups. Each group will represent one of the following:

- School Board
- Students and Parents for School Uniforms
- Students and Parents for Free Choice
- Springville Teachers Union
- Protect Our Rights Association
- Association of Springville School Principals

1. The school board should select a chairperson to conduct the hearing. Members of the school board should prepare questions to ask at the hearing.
2. To prepare for their testimony, the other groups should consider the benefits and costs of the proposed dress code. Each group should select someone to take notes of the discussion and a spokesperson to present the group's views.
3. Each group, except the school board, should prepare a brief presentation supporting or opposing the dress code proposal on the basis of the benefits and costs the group has identified. Group members who are not spokespersons should be prepared to answer the school board's questions.

Conducting the Hearing

1. Each group will have three minutes to make its presentation. Members of the school board may interrupt the presentation only to clarify any points made.
2. After each group has finished its presentation, school board members may ask questions. These questions should be answered by all group members, not just the person making the presentation.
3. When the hearing is over, members of the school board should discuss the points raised by each group. After considering the benefits and costs involved, the school board should decide whether or not to adopt a dress code requiring school uniforms in the Springville Unified School District.
4. The chairperson of the school board should announce and explain the reasons for the board's decision.

Discussing the Hearing

Afterwards, the class as a whole should discuss the following questions:

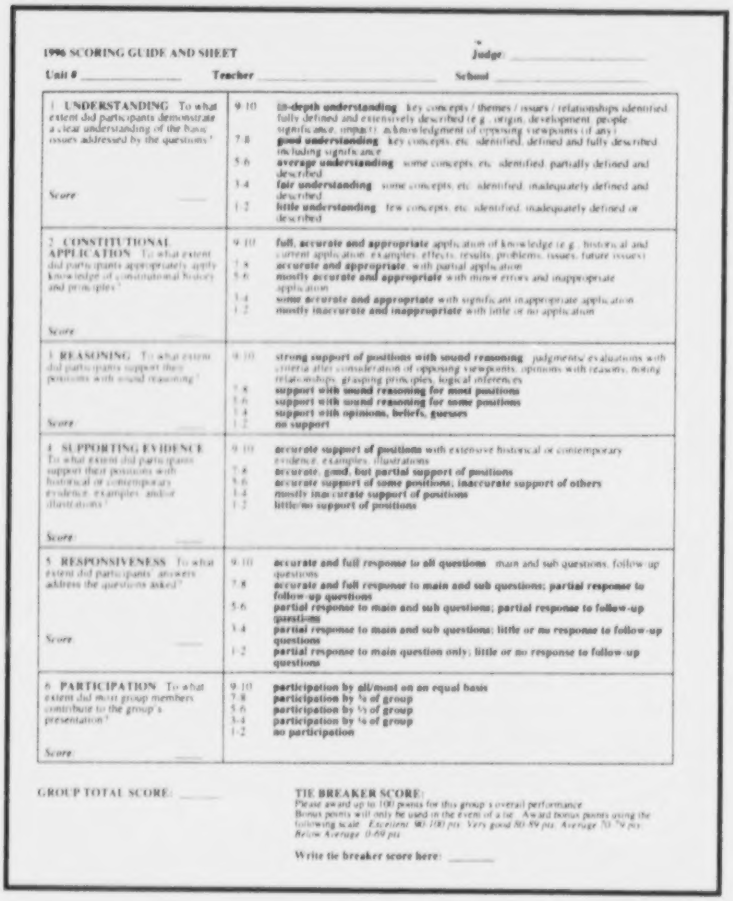
- What benefits and costs did the board decide were most important?
- What else did the board consider in making its decision?
- Do you agree with the board's decision? Explain.

Using the Lesson

1. Write a letter to the student body supporting or opposing the position taken by the school board on the issue of dress codes in Springville.
2. Propose an alternative to deal with the problems that exist in the Springville schools. Write an essay in your notebook or journal explaining the benefits and costs of the solution you propose.
3. Find an example on television or from the newspaper that shows an exercise of authority. In your journal, make a list of consequences of this exercise of authority. Label each consequence you list as either a benefit or a cost. Evaluate these benefits and costs. Then decide whether you support or oppose this exercise of authority. Explain your position in your journal.

Reprinted with permission. *Foundations of Democracy, Level V*, Authority—Lesson 9, pp. 38-39. Copyright 1993. Center for Civic Education, Calabasas, CA.

Figure 7.13. Sample hearing activity from the Center for Civic Education.



1996 SCORING GUIDE AND SHEET **Judge:** ____________

Unit # ____________ **Teacher** ____________ **School** ____________

1 **UNDERSTANDING** To what extent did participants demonstrate a clear understanding of the basic issues addressed by the questions?	9-10	**in-depth understanding** key concepts / themes / issues / relationships identified fully defined and extensively described (e.g., origin, development, people significance, impact); acknowledgment of opposing viewpoints (if any)
	7-8	**good understanding** key concepts, etc. identified, defined and fully described including significance
	5-6	**average understanding** some concepts, etc. identified, partially defined and described
	3-4	**fair understanding** some concepts, etc. identified, inadequately defined and described
Score: ____	1-2	**little understanding** few concepts, etc. identified, inadequately defined or described
2 **CONSTITUTIONAL APPLICATION** To what extent did participants appropriately apply knowledge of constitutional history and principles?	9-10	**full, accurate and appropriate** application of knowledge (e.g., historical and current application, examples, effects, results, problems, issues, future issues)
	7-8	**accurate and appropriate**, with partial application
	5-6	**mostly accurate and appropriate** with minor errors and inappropriate application
	3-4	**some accurate and appropriate** with significant inappropriate application
Score: ____	1-2	**mostly inaccurate and inappropriate** with little or no application
3 **REASONING** To what extent did participants support their positions with sound reasoning?	9-10	**strong support of positions with sound reasoning** judgments/evaluations with criteria after consideration of opposing viewpoints, opinions with reasons, noting relationships, grasping principles, logical inferences
	7-8	**support with sound reasoning for most positions**
	5-6	**support with sound reasoning for some positions**
	3-4	**support with opinions, beliefs, guesses**
Score: ____	1-2	**no support**
4 **SUPPORTING EVIDENCE** To what extent did participants support their positions with historical or contemporary evidence, examples, and/or illustrations?	9-10	**accurate support of positions** with extensive historical or contemporary evidence, examples, illustrations
	7-8	**accurate, good, but partial support of positions**
	5-6	**accurate support of some positions; inaccurate support of others**
	3-4	**mostly inaccurate support of positions**
Score: ____	1-2	**little/no support of positions**
5 **RESPONSIVENESS** To what extent did participants' answers address the questions asked?	9-10	**accurate and full response to all questions** main and sub questions, follow-up questions
	7-8	**accurate and full response to main and sub questions; partial response to follow-up questions**
	5-6	**partial response to main and sub questions; partial response to follow-up questions**
	3-4	**partial response to main and sub questions; little or no response to follow-up questions**
Score: ____	1-2	**partial response to main question only; little or no response to follow-up questions**
6 **PARTICIPATION** To what extent did most group members contribute to the group's presentation?	9-10	**participation by all/most on an equal basis**
	7-8	**participation by ¾ of group**
	5-6	**participation by ½ of group**
	3-4	**participation by ¼ of group**
Score: ____	1-2	**no participation**

GROUP TOTAL SCORE: ____

TIE BREAKER SCORE:
Please award up to 100 points for this group's overall performance.
Bonus points will only be used in the event of a tie. Award bonus points using the following scale: *Excellent 90-100 pts; Very good 80-89 pts; Average 70-79 pts; Below Average 0-69 pts*

Write tie breaker score here: ____

Figure 7.14. Rubric for simulated congressional hearing.

Deanna's students commented that the best way to prepare for the AP government test is to prepare for and participate in a congressional hearing. Most carry their interest in the issues they have studied into their college experience and their adult work, validating the authenticity of the simulation. Deanna is pleased to know that so many of her students have pursued careers in public service and law.

Each spring for the past few years, eighth-grade students at three middle schools in Colorado's Cherry Creek School District spend two weeks preparing to participate in the We the People simulated congressional hearing as a culminating activity for a large chunk of their American Studies program. The ten or so teachers who provide this experience for their students have found that the simulated hearing is a test worth teaching to.

Their adaptation of a simulated legislative hearing is similar to the We the People competitive high school model in the sense that judges from the community are trained and the scoring guide in Figure 7.14 is

Performance Assessment and the We the People... Hearing: Classroom Characteristics

- ☑ Students construct or create the appropriate answer, not select from a menu of choices.
- ☑ Practicing for the test is "good" learning time, not time away from learning.
- ☑ Tests assess desired behavior directly, in the context in which the behavior is used
- ☑ Criteria for judging performance are clear to those being judged.
- ☑ Process and quality of a product or performance is the focus.
- ☑ Teamwork and group interaction can be assessed and valued.
- ☑ The final product is scored by teachers or other qualified judges.
- ☑ Scoring procedures are clearly specified, and judges are trained in their use.

Figure 7.15. Checklist illustrating performance assessment for We the People hearing.

used to provide feedback to students. Parents join school and district level administrators, high school department chairs, and civic leaders in giving students advice on the strengths of their performance as well as encouragement to continue their studies of the Constitution. The judges' training gives the teachers a rare opportunity to talk to a range of community people about what they want students to know and be able to do related to a comprehensive civic education. The hearing itself gives the teachers an oportunity to learn from the community about what they find worthwhile about the students' presentations.

Competition is minimized. Six unit awards are presented, but classes are not ranked. Judges give each group of students feedback on their strengths and weaknesses. The grades that students receive are based, in part, on their teacher's observation and assessment of their individual and group performance at the hearing. Other factors include the quality of research projects, the ability of the group to organize and share responsibility for an opening statements, and their ability to bring all members of the group into the process. Lori Mable, a teacher at Thunder

Ridge Middle School, has developed a two-week unit through which her students prepare for the simulated hearing. One of the innovations that she has developed and other teachers are quickly adopting involves placing students in cooperative groups to complete research and prepare statements and anticipate questions.

After trying several less-than-satisfying methods of creating work groups, I finally have an approach that works in my class. I begin by describing the work that we'll be doing to prepare for the congressional hearing, and then asking for volunteers to be leaders of groups. I pick six leaders and then assign them the task of creating effective working groups that include all other members of the class. They consider learning styles, as well as individual strengths, knowing that they may become the leader of any one of the groups they have created. This approach eliminates some of the tensions that occur when I've allowed friends to work together or when I have assigned groups myself.

The team leaders comprise a study group with whom Lori meets regularly after school in the weeks leading up to the hearing. The study group members help select the single question for each unit that students will address in the hearing; prepare letters to judges; do initial online and library research on contemporary cases related to the focus questions; and practice fielding questions from Lori so they can later provide teammates with a similar experience.

In describing their expectations for this event to students and their parents, these middle school teachers cast this culminating event as an opportunity for students to show what they have been learning throughout the year and as a celebration of student accomplishment. Students draw from both language arts skills and social studies content in preparing for the simulated hearing. In each school, the *We the People* materials are used extensively throughout the year to support curricular goals and district proficiencies in civics. Throughout the year, students are collecting ideas and understanding that they know may be useful in conversation with adults from the community. A packet of materials developed by the Cherry Creek teachers including letters to judges and parents is available from SSEC and the Center for Civic Education.

Reflection/Exercise

Apply the criteria used by We the People to a student performance. What are the strengths and weaknesses of the performance? What changes in your instruction would improve performance?

Town Meeting

A simulated town meeting can be an effective and engaging strategy for cultivating democratic discourse in a classroom setting. The New England town meeting is often used by teachers to present students with an example of a pure democracy in which citizens made decisions through face-to-face deliberation about matters of concern to all citizens. While pure democracy in this classic sense has all but disappeared as a basis for political decisions in contemporary society, there are many real world opportunities for citizens to attend meetings, exchange ideas, and, in the process, set and shape the public agenda. Study Circles (1-800-928-2616) is one program available on a nationwide basis that provides a format and materials for youth and adults to meet in intergenerational groups to work on public problems in the community.

Wendy Ewbank, a middle school teacher at Madrona School in Edmonds, Washington, uses the town meeting to help her students achieve the dual goals of developing and practicing democratic discourse and understanding a range of perspectives on a historical or current issue. Wendy has incorporated the "town meeting" assessment task into several different units of study for her combined seventh- and eighth-grade social studies classes. During a trimester grading period, her students participate in three separate forums in which they assume the perspective of one of the "characters" in a public issues debate or historical drama. The strategy has been successfully used in discussion of a controversial Washington state referendum on property rights, in which students were assigned the roles of developers, fishers, environmental groups, logging companies, Citizens for Fair Taxes, Citizens for Puget Sound, the League of Women Voters, and logging companies. She has also used the strategy within units on the American West, immigration policy, and such controversial topics as assisted suicide and abortion rights.

Wendy finds that middle school students recognize and appreciate the authenticity of the town meeting as a forum in which they are expected to replicate adult perspectives and discuss ideas through a process used in the real world. From an instructional perspective, Wendy finds that her students are likely to put a higher level of effort into their preparation when they know that they are working toward a one-day performance in which there will likely be adult visitors and/or the video camera than they do for a class discussion.

Once students have been assigned a role and have an understanding of the perspective they are to bring to the discussion, they prepare for the town meeting by developing a knowledge base using a range of published materials, such as Greenhaven Press's *Opposing Viewpoints* series, and newspaper articles collected in advance by the teacher. Wendy presents the scoring rubric that she has developed combined with the town meeting prompt to give her students a clear sense that they are working toward a culminating event for which they want to be well prepared.

When Wendy initially presented her town meeting assessment task at the writing conference, she was encouraged by other teachers to move beyond a single town meeting to convene two or three meetings at various points within a unit as a "dipstick" to find out where students were along the way. Reflecting on that advice, she revised her unit on immigration so that students could use their research and understanding of the immigrant experience in 20th-century America in several "journal readings" in which they learned about each other's roles. To prepare for the writing, students take part in several activities, including analyzing immigration statistics for the year in which their "characters" were to have immigrated—1916; reading stories and watching videos about immigrants; and studying the historical context.

Each student creates a fictitious character (a teenager who immigrated to the United States in the year 1916). Through journal entries written each year from 1916 until 1946, students tell about the life and times of the immigrants they have created. The entries realistically describe home, jobs, feelings, and dreams representative of the time period. Wendy provides specific suggestions about what to include: Where did you settle? Why did you move? What opportunities do you have for schooling? Were you involved in wars or elections? Did you become a naturalized citizen? What types of jobs were available? Did you experience discrimination? stereotyping? Miss the old country?

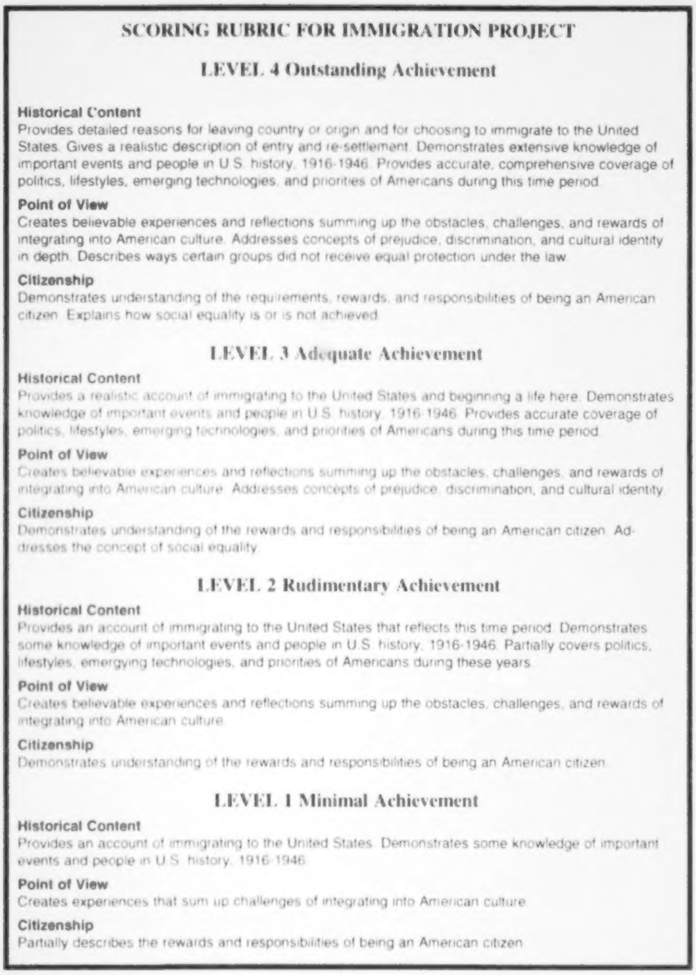
Students can either write a one-page entry for every year or write a five-page chapter on a five-year period. Students write entries for five years each week; Wendy reviews their entries on a weekly basis. The rubric students use in developing their journals is provided in Figure 7.16.

The journal-reading sessions also serve as building blocks for a culminating event in which the students knew they were expected to bring historical perspective to discussion of proposals for immigration reform. Students used the understanding of 20th-century immigration developed through writing and sharing the journal entries in a town meeting discussion of current immigration policy for which they prepare by reading articles and assuming the identity of one of several experts on immigration policy.

In using the town meeting strategy, Wendy places equal importance on students' knowledge of the issue and their ability to participate in a dialogue in which they both take a position and draw information from others.

For the immigration town meeting, students assume the roles of the authors of articles in the Opposing Viewpoints book on immigration, which they have read. Roles include people with diverse positions on immigration issues, including representatives from Negative Population Growth, Governor Pete Wilson of California, the chairperson of the San

© SSEC



SCORING RUBRIC FOR IMMIGRATION PROJECT

LEVEL 4 Outstanding Achievement

Historical Content
Provides detailed reasons for leaving country of origin and for choosing to immigrate to the United States. Gives a realistic description of entry and re-settlement. Demonstrates extensive knowledge of important events and people in U.S. history, 1916-1946. Provides accurate, comprehensive coverage of politics, lifestyles, emerging technologies, and priorities of Americans during this time period.

Point of View
Creates believable experiences and reflections summing up the obstacles, challenges, and rewards of integrating into American culture. Addresses concepts of prejudice, discrimination, and cultural identity in depth. Describes ways certain groups did not receive equal protection under the law.

Citizenship
Demonstrates understanding of the requirements, rewards, and responsibilities of being an American citizen. Explains how social equality is or is not achieved.

LEVEL 3 Adequate Achievement

Historical Content
Provides a realistic account of immigrating to the United States and beginning a life here. Demonstrates knowledge of important events and people in U.S. history, 1916-1946. Provides accurate coverage of politics, lifestyles, emerging technologies, and priorities of Americans during this time period.

Point of View
Creates believable experiences and reflections summing up the obstacles, challenges, and rewards of integrating into American culture. Addresses concepts of prejudice, discrimination, and cultural identity.

Citizenship
Demonstrates understanding of the rewards and responsibilities of being an American citizen. Addresses the concept of social equality.

LEVEL 2 Rudimentary Achievement

Historical Content
Provides an account of immigrating to the United States that reflects this time period. Demonstrates some knowledge of important events and people in U.S. history, 1916-1946. Partially covers politics, lifestyles, emergying technologies, and priorities of Americans during these years.

Point of View
Creates believable experiences and reflections summing up the obstacles, challenges, and rewards of integrating into American culture.

Citizenship
Demonstrates understanding of the rewards and responsibilities of being an American citizen.

LEVEL 1 Minimal Achievement

Historical Content
Provides an account of immigrating to the United States. Demonstrates some knowledge of important events and people in U.S. history, 1916-1946.

Point of View
Creates experiences that sum up challenges of integrating into American culture.

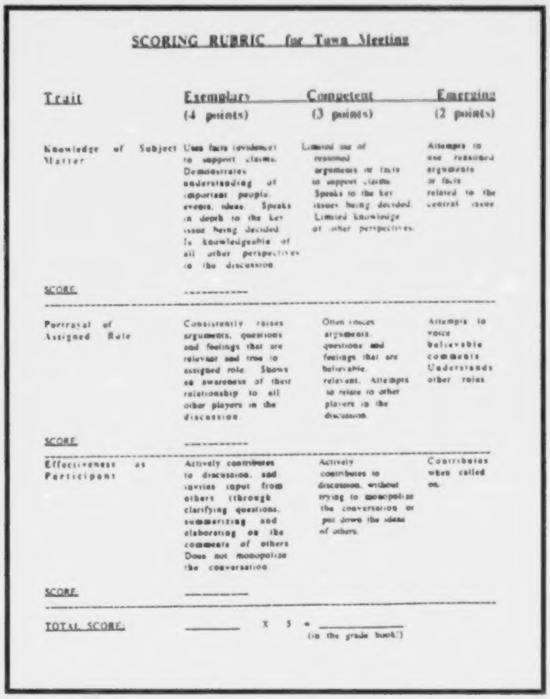
Citizenship
Partially describes the rewards and responsibilities of being an American citizen.

Figure 7.16. Rubric for immigration journal.

Diego Sierra Club, the director of the Federation for American Immigration Reform, a police officer in the Los Angeles barrio, a teacher of ESL students, the information officer for the U.S. Committee for Refugees, a scholar at the American Enterprise Institute, a lobbyist for National Network for Immigrant and Refugee Rights, a recent immigrant who is an engineer from Iran, U.S. citizens who immigrated from Vietnam and Cambodia in the 1970s, and a representative of the Political Asylum Project of the Lawyers Committee for Human Rights.

The student worksheet (Figure 7.17) and scoring rubric (Figure 7.18) that Wendy uses to provide students with a structure in which to do their preparation are critical to the success of the project.

In addition to the assessments described above, Wendy also collects information about the impact of the activity through a midterm evaluation of her effectiveness as a teacher. Below are several student responses

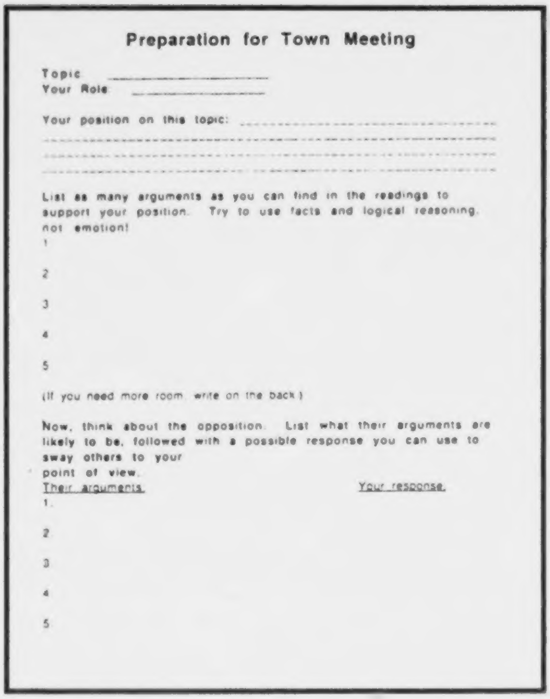


SCORING RUBRIC for Town Meeting

Trait	Exemplary (4 points)	Competent (3 points)	Emerging (2 points)
Knowledge of Subject Matter	Uses facts (evidence) to support claims. Demonstrates understanding of important people, events, ideas. Speaks in depth to the key issue being decided. Is knowledgeable of all other perspectives in the discussion.	Limited use of reasoned arguments or facts to support claims. Speaks to the key issues being decided. Limited knowledge of other perspectives.	Attempts to use reasoned arguments or facts related to the central issue
SCORE	________		
Portrayal of Assigned Role	Consistently raises arguments, questions and feelings that are relevant and true to assigned role. Shows an awareness of their relationship to all other players in the discussion.	Often voices arguments, questions and feelings that are believable, relevant. Attempts to relate to other players in the discussion.	Attempts to voice believable comments. Understands other roles.
SCORE	________		
Effectiveness as Participant	Actively contributes to discussion, and invites input from others (through clarifying questions, summarizing and elaborating on the comments of others. Does not monopolize the conversation.	Actively contributes to discussion, without trying to monopolize the conversation or put down the ideas of others.	Contributes when called on.
SCORE	________		

TOTAL SCORE: ________ X 5 = ________ (in the grade book!)

Figure 7.17. Worksheet used to prepare for town meeting.



Preparation for Town Meeting

Topic ________________

Your Role ________________

Your position on this topic: ________________

List as many arguments as you can find in the readings to support your position. Try to use facts and logical reasoning, not emotion!

1

2

3

4

5

(If you need more room, write on the back.)

Now, think about the opposition. List what their arguments are likely to be, followed with a possible response you can use to sway others to your point of view.

Their arguments	Your response
1.	
2	
3	
4	
5	

Figure 7.18. Scoring rubric for town meeting.

to the question: What have you learned in the town meeting format that you wouldn't have learned in another type of assessment?

- How to organize your thoughts and priorities and how to state them in discussion.
- It's easier to learn in a town meeting format because I learn all sides of the issue and it's easier to listen and understand other students than, say, a video.
- In an essay, you just write your point of view and nobody ever challenges or questions your arguments.
- I think others' ideas and ways of thinking are important to know.
- How to be someone you're not.
- I'm usually shy but I can speak my mind in these.

In reflecting on the value of the exercise and evaluating student comments, Wendy sees several benefits accruing to her students. Students see a story from several perspectives as opposed to a debate, where they may see only one or two views. Most importantly, students perceive the activity as a means for airing their views on a topic. The next challenge that she sees for improving the town meeting is to use the simulation as a forum for creating policy alternatives on such issues as care of the homeless and population control so that students experience the potential of the activity for shaping real policies.

Reflection/Exercise

Think of a policy issue that your students study. What would be the advantages and disadvantages of using the town meeting format to assess student understanding of the issue? How could you adapt Wendy's approach to ensure that you could assess what is most important to you in having students examine this issue?

© SSEC

Chapter 8: Assessing Student Writing

While assessing student learning through performances, portfolios, or discussion may be new to many social studies teachers, using writing as an assessment tool is not. Teachers have long known that writing tasks are one of the best ways to find out what students are thinking and how they have arrived at positions or conclusions reflected in their other work. Why, then, are we considering writing in this handbook on authentic assessment?

Well-conceived writing tasks certainly meet Newmann's criteria for authenticity. They require students to demonstrate depth of understanding by organizing, interpreting, evaluating, and synthesizing complex information about a particular topic, issue, problem, or concept. Such tasks require students to use methods of inquiry from the academic disciplines (e.g., interpretation of primary sources) and demand the use of significant substantive knowledge. Writing tasks also have meaning beyond the instructional setting. Some tasks have immediate audiences beyond the school (e.g., letters to legislators), while others resemble writing that students will need to do in their lives as citizens. Writing tasks in civic education can also be designed to link school learning with students' life experiences.

Some of the writing tasks typically assigned by social studies teachers clearly meet these criteria, while others do not. Thus, one of our goals in including a chapter on writing is to encourage you to reflect on the writing tasks you assign.

Another reason for including this chapter is that many teachers, even those who assign well-conceived tasks, do not clearly communicate their expectations to students. Our examination of writing assignments and the resulting papers from a number of teachers indicate that not only are expectations not clearly communicated, we cannot generally infer those expectations from the grade and feedback provided students. Nor can students learn a great deal about how to improve their performance from that feedback. Greg Clevenger, a government teacher from Okemos, Michigan, found that giving students a rubric having well-defined criteria in advance improved performance, especially for the poorer writers. Thus, we also hope that this chapter will prompt you to adapt and use one of the rubrics included and to examine how its use affects student performance.

Several types of writing tasks are particularly relevant in civic education. While any of these types of tasks can be used to develop/assess students' writing skills, each task also addresses other outcomes that may be of particular importance to you. In the subsections that follow, we discuss three types of writing tasks and their use in civic education. For each, we discuss the construction of prompts and provide an example of materials used to help students learn about that form of writing, as well as one or more rubrics for assessing it. We conclude the chapter with a discussion of some potential pitfalls in using writing assessments.

While it is not our function in this chapter to provide a great deal of background on teaching writing skills, we would stress that it is unfair to assess students' writing skills without providing some instruction in that area. We recommend that social studies teachers who want to use writing as an assessment use an approach compatible with the writing approach used in the language arts department. Thus, if students experience the process approach in their English courses, we would advise you to provide for prewriting, composing, and rewriting phases as students work on writing tasks.

Reflection/Exercise

Select a writing assignment you have used in a law, civics/government, or history course. To what extent did the work done by students meet Newmann and Wehlage's criteria for authentic work:

- Did students construct meaning and produce knowledge?
- Did students use disciplined inquiry to construct meaning?
- Did students' work have value or meaning beyond success in school?

Now consider the criteria you used to assess students' work. Were the criteria well articulated? How did you communicate these criteria to students? How did you provide feedback to students on their performance?

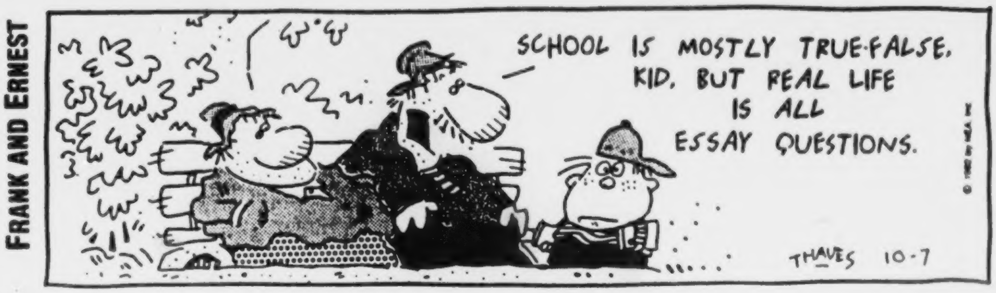
Given your current thinking about authentic work and assessment, how would you revise this task and the way in which you assessed it?

Essays

One form of writing that is familiar to most teachers is the essay. Essays are a good way to assess students' thinking skills—their ability to analyze, apply, evaluate, and synthesize course material. They can also be used to assess students' knowledge, as well as their ability to

© SSEC

FRANK & ERNEST reprinted by permission of NEA, Inc.


FRANK AND ERNEST
SCHOOL IS MOSTLY TRUE-FALSE, KID, BUT REAL LIFE IS ALL ESSAY QUESTIONS.
THAVES 10-7

use methods of inquiry in a discipline. Prompts can be constructed so that the focus is strictly on skills; that is, if the prompt provides all the information students need to answer the question, then the assessment can focus solely on critical thinking. If students must draw on their own knowledge, then the essay can be used to assess both content understanding and thinking. As a follow-up to a performance, such as a mock trial, the essay can be used to assess what was learned from that activity. Document-based questions in particular can be used to test students' ability to use methods of inquiry.

The criterion that authentic work have meaning and purpose beyond school is too often neglected in developing essay prompts. Many essays, in fact, have no purpose other than to meet course requirements and no audience other than the teacher. In writing prompts, it is therefore particularly important to ensure that the essay has a clear purpose and audience.

Writing Essay Prompts

Many ways of structuring essays exist, and you may find it helpful to consult with the language arts department regarding the essay form they teach. Thomas Ladenburg, a U.S. history teacher in Brookline, Massachusetts, who includes an essay-writing assignment in each unit of his course, provides an example of a very specific form to use in writing the essays. The form includes three major parts: a thesis statement, a main body, and a conclusion. Students are given instruction on how to use the thesis to foreshadow their major arguments; how to support those arguments using evidence of various types; and how to write a powerful conclusion. The essay form is mentioned in each writing assignment given throughout the course, but less instruction is provided as the year progresses. Tom has found this strategy to be effective in producing growth in essay writing.

In constructing essay prompts, teachers must think carefully about what they want to accomplish, identify the objectives they are assessing, and make sure that the question is related to those objectives in a way that can be defined in terms of expected student behavior. The question should have a clear focus in order to give students some ideas for how to begin framing a response. Similarly, a clear focus will help the teacher specify criteria for evaluation. Several prompts illustrating various types of essays are provided in Figure 8.1.

Reflection/Exercise

Choose one of the essay prompts from Figure 8.1. What objectives or outcomes do you think the teacher who wrote the prompt was trying to assess? What criteria would be important in assessing the essays students produced in response to the prompt? What do you like about the prompt? Based on your analysis, how might you improve the prompt?

Look at an essay prompt you have assigned previously. What outcomes does it assess? Does it have a clear focus? What were your criteria? Do they relate to the outcomes you identified? Would you use this prompt again? If not, why not? If so, how might you improve the prompt?

Assessing Student Essays

The teachers in our project began with some very good models for evaluating student essays. One was a set of essay scoring guides developed by the History-Social Science Committee for the California Assessment Program. Another model was a set of criteria adapted from the NAEP assessment of persuasive writing by staff members at the National Center on Effective Secondary Schools; these criteria had been used in a research study on evaluating higher order thinking through persuasive writing on constitutional issues (Newmann 1990). Teachers also had access to rubrics and scoring criteria developed by individual social studies teachers and by language arts specialists.

At a writing conference, a small group of teachers sorted through the various models available and chose the Newmann and California scoring guides as most applicable to essays written in civics or law-related courses. They created a scoring guide based on these two models (see Figure 8.2). The guide is holistic, in that only an overall score is given, rather than individual scores on each of the four criteria (context and position; thoroughness; documentation; presentation).

Greg Clevenger used the rubric in his AP government class. Although the group that adapted the rubric had selected student essays from the Newmann article to illustrate each level of performance in the scoring guide, Greg chose not to use the sample essays. The writing assignment was to watch President Clinton's State of the Union speech

Prompt 1

Imagine that you have been selected to attend a constitutional convention called to consider changing the First Amendment. What changes to the First Amendment would you support? Write a memo to other members of the convention, presenting the changes you favor and giving reasons for making the changes. In supporting your position, draw on the First Amendment cases you have studied. Be sure to consider how the changes you suggest would affect current First Amendment issues of which you are aware. Also consider the arguments against the changes you propose and how you might defuse those arguments.

Prompt 2

During the past week, you participated in a mock trial in which the jury rendered a verdict of guilt or innocence. The jury system has both its critics and supporters. Consider your experience in the mock trial in writing an essay in which you describe the advantages and disadvantages of the jury system.

Prompt 3

These articles [four newspaper articles attached to the prompt] raise many important issues, some of which we have discussed in the first two weeks of this class. After carefully reading the articles at least twice and highlighting or taking notes, write a briefing paper for the state legislature in which you discuss thoughtfully the following:

a. Evidence that the drug laws (both those of our state and the federal drug laws, which apply throughout the U.S.) are either intentionally discriminatory against African Americans (in violation of the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution) or have the effect of discriminating against blacks (even though that may not have been their intent).

b. How prosecutors and law enforcement officials have responded to the charge that the drug laws are racist and irrational, and why you do or do not find their arguments convincing.

c. The reasons why many people—including a group of King County Superior Court judges—believe that our drug laws are far too harsh and the evidence that they cite to support their view.

d. Why you would or would not recommend the changes in the drug laws suggested in the articles (feel free to also suggest changes in the drug laws not mentioned in the articles, if you have any).

Prompt 4: Reasoning About Student Locker Searches*

This reading presents a court case involving the search of a student's locker by a school administrator. Though not an actual case, it is based upon cases presented to the U.S. Supreme Court. You are to be the judge. As you read, think about how you might decide this case.

The case of *State of New York v. Karen Doctor*

A teacher at a high school in New York discovered Karen, a 16-year-old sophomore, and her friend smoking cigarettes on school grounds, in clear violation of a school rule. The teacher took them to the principal's office. Karen denied that she had been smoking, saying that she did not smoke at all. The assistant principal, Mr. Hardy, then insisted on seeing the contents of her purse. He found a pack of cigarettes and also a package of rolling papers which are often used to smoke marijuana. He then decided to search Karen's locker.

With Karen present at the search, Mr. Hardy discovered in her locker a small amount of marijuana, a pipe, a note card with a list of students who owed her money, and two letters that indicated she was involved in dealing marijuana. He then contacted the police and delinquency charges were brought against Karen. In court, Karen's lawyer argued that the search of her locker violated her constitutional rights and therefore the evidence found in her locker cannot be used. The case should be dismissed. The attorney representing the school and Mr. Hardy argued that the school had reasonable grounds for searching her purse and her locker and therefore the evidence uncovered can be used in the trial. She should be found guilty.

Background Information

The following information is provided to help you think about the case. Please read carefully. You should use this information in writing your argument.

All citizens have certain rights which are guaranteed in the United States Constitution. The Fourth Amendment states, "The right of the people to be secure in their persons, papers, and effects, against unreasonable searches and seizures shall not be violated and no warrants issued, but upon probable cause." In other words, citizens have a right to privacy. Government officials and other authorities such as the police may not search any citizen or their personal possessions without good reason or "probable cause." For example, the police often must present evidence to a judge that something illegal is located in a specific place before they can conduct a search. The judge decides if the evidence is enough to justify the search, and if so, the judge issues a search warrant to the police. A search warrant is a document signed by a judge that gives authority to the police to search a specific place for specific items.

As you consider the case, keep in mind that school officials are viewed by the courts as a type of government official or authority. They have a responsibility to maintain order so that learning can take place, and a responsibility to protect students from harming themselves or others. This may, at times, involve the search of students, their possessions, and their lockers.

There are several general principles that the U.S. court have used to help them decide cases involving the search of students and their possessions. These are called precedents. The following principles or precedents are summarized to help you decide the case of *New York v. Karen Doctor*.

First, the courts have developed the principle that school officials serve as representatives of parents during school-related activities, and, in some situations, have the right to act as a student's parent.

Second, the courts have decided that, unlike the police, school officials can conduct searches without a warrant if they have "reasonable suspicion" to believe something illegal or dangerous is present. However, there must be evidence that something harmful is hidden by a student.

Third, the courts have decided that the danger of the items for which the search is conducted must be balanced against the student's right to privacy. Therefore, school officials must decide how dangerous the item is before conducting a search. The student's age, history, school record, and a teacher's past experience with the student can provide information to decide if there is reasonable suspicion to conduct the search.

Fourth, the courts assume that student lockers are different from a house, motor vehicle, backpack, or even a rented private locker. School lockers are to be viewed as having two owners, the student and the school. Lockers are owned by the school, but are assigned to students for their private use under the condition that dangerous or illegal items are not to be concealed.

As judge, you are to answer this question:

Did the school violate Karen's constitutional rights by searching her purse and then her locker?

Please write an argument to try to convince someone of your position on this question. In your argument, you should:

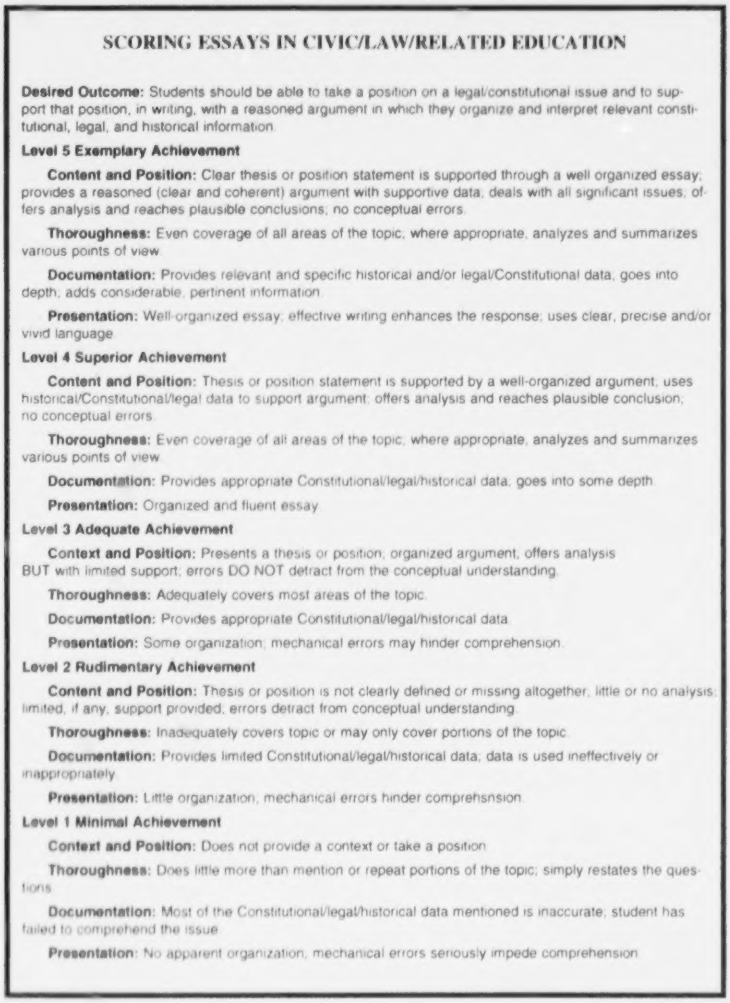
- state your position on the question,
- support your position by giving as many reasons as you can, and
- explain why they are good reasons.

Keep in mind that your position will be most convincing if you include information from the reading and show weaknesses in the opposing position. Good luck!

---

*Developed by the National Center for Effective Secondary Schools and discussed in Fred M. Newmann, "A Test of Higher Order Thinking in Social Studies," *Social Education* 54, no. 6 (1990), pp. 369-373.

Figure 8.1. Sample essay prompts.



SCORING ESSAYS IN CIVIC/LAW/RELATED EDUCATION

Desired Outcome: Students should be able to take a position on a legal/constitutional issue and to support that position, in writing, with a reasoned argument in which they organize and interpret relevant constitutional, legal, and historical information.

Level 5 Exemplary Achievement

Content and Position: Clear thesis or position statement is supported through a well organized essay; provides a reasoned (clear and coherent) argument with supportive data; deals with all significant issues; offers analysis and reaches plausible conclusions; no conceptual errors.

Thoroughness: Even coverage of all areas of the topic; where appropriate, analyzes and summarizes various points of view.

Documentation: Provides relevant and specific historical and/or legal/Constitutional data; goes into depth; adds considerable, pertinent information.

Presentation: Well-organized essay; effective writing enhances the response; uses clear, precise and/or vivid language.

Level 4 Superior Achievement

Content and Position: Thesis or position statement is supported by a well-organized argument; uses historical/Constitutional/legal data to support argument; offers analysis and reaches plausible conclusion; no conceptual errors.

Thoroughness: Even coverage of all areas of the topic; where appropriate, analyzes and summarizes various points of view.

Documentation: Provides appropriate Constitutional/legal/historical data; goes into some depth.

Presentation: Organized and fluent essay.

Level 3 Adequate Achievement

Context and Position: Presents a thesis or position; organized argument; offers analysis BUT with limited support; errors DO NOT detract from the conceptual understanding.

Thoroughness: Adequately covers most areas of the topic.

Documentation: Provides appropriate Constitutional/legal/historical data.

Presentation: Some organization; mechanical errors may hinder comprehension.

Level 2 Rudimentary Achievement

Content and Position: Thesis or position is not clearly defined or missing altogether; little or no analysis; limited, if any, support provided; errors detract from conceptual understanding.

Thoroughness: Inadequately covers topic or may only cover portions of the topic.

Documentation: Provides limited Constitutional/legal/historical data; data is used ineffectively or inappropriately.

Presentation: Little organization; mechanical errors hinder comprehsnsion.

Level 1 Minimal Achievement

Context and Position: Does not provide a context or take a position.

Thoroughness: Does little more than mention or repeat portions of the topic; simply restates the questions.

Documentation: Most of the Constitutional/legal/historical data mentioned is inaccurate; student has failed to comprehend the issue.

Presentation: No apparent organization; mechanical errors seriously impede comprehension.

Figure 8.2. Rubric for scoring essays.

and write a position paper of 750-1000 words relating to the speech. Here is Greg's description of the way in which he used the rubric:

> *My goal with this writing assignment was to assess whether students can take a position on a legal/constitutional issue and support that position, in writing, with a reasoned argument in which they organize and interpret relevant constitutional, legal, and historical information. I distributed the rubric in advance of the assignment, one day before the speech. The four criteria—context/position, thoroughness, documentation, and presentation—were discussed in some detail. I also preceded the assignment with discussions of the constitutional duties of the president and patterns and similarities in state of the union speeches, from Ford through Bush. I taped the speech, which students then watched. A few days later, I gave the students printed copies of the speech. They*

were given several days for individual research and writing; we spent a total of about 6 hours on the assignment, including homework.

The assignment worked well for assessing the learning outcome in which I was interested. Naturally, some students have ample writing skills while others do not. The key to making this a more authentic assessment was the criteria and rubric presented to the students in advance. They knew exactly what was expected of them and the details for their performance, from minimal achievement to exemplary. I believe poorer writers did a much better job than usual with the task at hand.

It's always difficult for me as a reader to draw the line between superior and exemplary achievement, but the line must be drawn somewhere. For the most part I was quite pleased with the criteria and rubric. I believe the scores/ratings are most reliable.

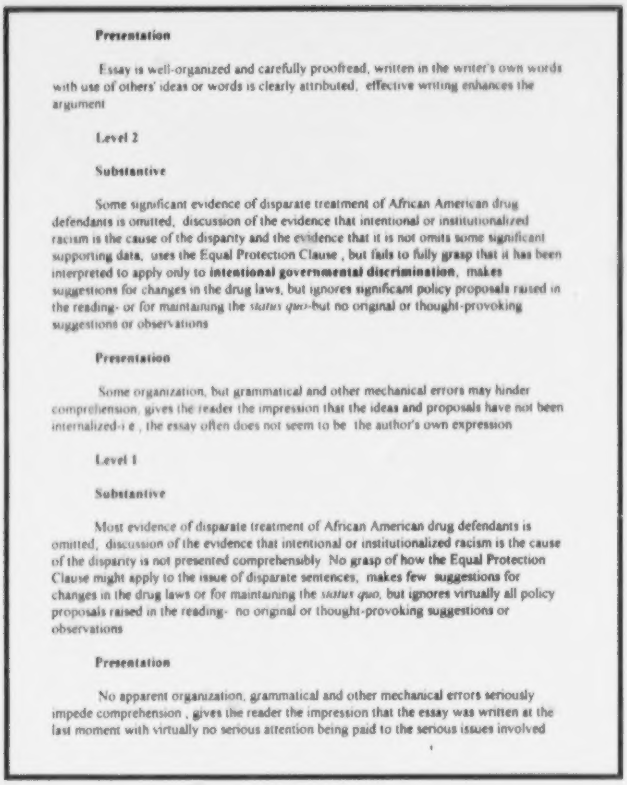
In terms of students' responses to the task, while they complained about the length of the paper, they enjoyed the topic and its flexibility and were pleased with the end result. I actually believe students will watch more state of the union speeches as a result of taking part in this assignment.

Rick Nagel, another project teacher, decided to adapt the scoring guide before using it in his tenth-grade law course with the third assignment in Figure 8.1 above. He collapsed the criteria into two categories—substantive and presentation—and included more specific criteria related to the particular assignment. He also reduced the number of performance levels from 5 to 4 (see Rick's scoring guide in Figure 8.3). He did retain the holistic aspect of the guide.

Rick's goal was to evaluate students' analytical and writing skills, as well as their understanding of the requirements of proving discrimination under the Fourteenth Amendment. The rubric was distributed and discussed in advance, a practice Rick's students have come to appreciate.

Rick felt that student interest in the assignment was high and that the scores were reliable. Even though Rick did adapt the rubric to make it more task-specific, he felt that more specificity would have been beneficial to students, particularly because this was the first writing task for which they had received a rubric beforehand. Yet Rick recognized the problem of providing so much detail in the rubric that students did not have to do their own thinking.

Katie Schultz, a teacher in the honors humanities program at Frontier Junior High in Graham, Washington, faced another challenge in using an essay assessment in civics. Her district had a rubric for assessing writing, parts of which had to appear in the rubric used in any writing task. Thus, she needed to create a rubric that included civics content, as well as criteria from the language arts arena. Her initial attempt, along with the task for which she planned to use the rubric, is provided in Figure 8.4. Here is how Katie described her experience using the rubric:



Presentation

Essay is well-organized and carefully proofread, written in the writer's own words with use of others' ideas or words is clearly attributed, effective writing enhances the argument

Level 2

Substantive

Some significant evidence of disparate treatment of African American drug defendants is omitted, discussion of the evidence that intentional or institutionalized racism is the cause of the disparity and the evidence that it is not omits some significant supporting data, uses the Equal Protection Clause , but fails to fully grasp that it has been interpreted to apply only to **intentional governmental discrimination**, makes suggestions for changes in the drug laws, but ignores significant policy proposals raised in the reading- or for maintaining the *status quo*-but no original or thought-provoking suggestions or observations

Presentation

Some organization, but grammatical and other mechanical errors may hinder comprehension, gives the reader the impression that the ideas and proposals have not been internalized-i e , the essay often does not seem to be the author's own expression

Level 1

Substantive

Most evidence of disparate treatment of African American drug defendants is omitted, discussion of the evidence that intentional or institutionalized racism is the cause of the disparity is not presented comprehensibly No grasp of how the Equal Protection Clause might apply to the issue of disparate sentences, makes few suggestions for changes in the drug laws or for maintaining the *status quo*, but ignores virtually all policy proposals raised in the reading- no original or thought-provoking suggestions or observations

Presentation

No apparent organization, grammatical and other mechanical errors seriously impede comprehension , gives the reader the impression that the essay was written at the last moment with virtually no serious attention being paid to the serious issues involved

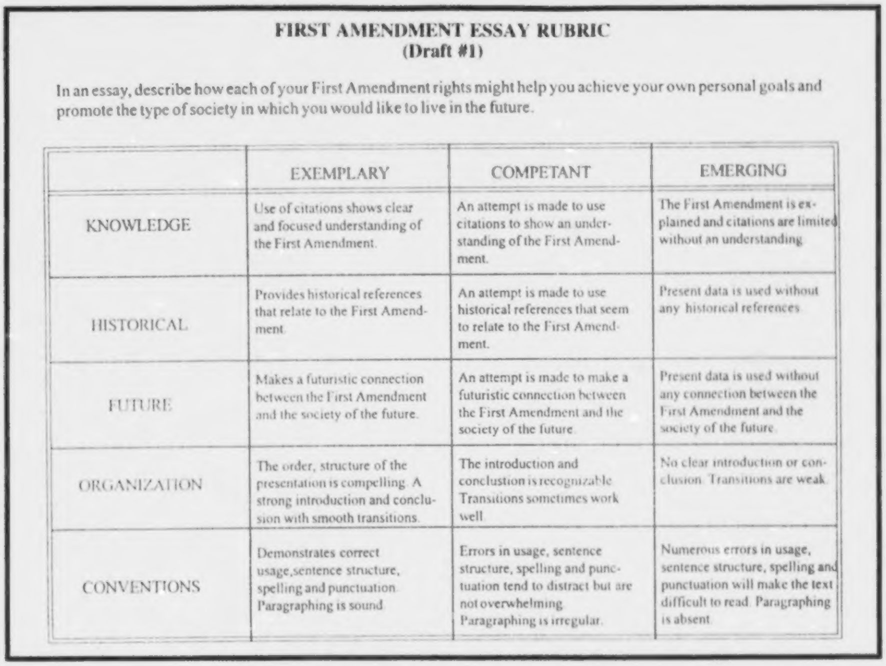
Figure 8.3. Essay rubric tailored for a specific assignment.

I spent two weeks teaching the First Amendment using We the People *as our base text. When I assigned the essay, I discussed the rubric using the exemplary standard only. As with any essay, I gave three class periods to complete the assignment. The first period is for prewriting. The second period is for writing, and the third is for editing and completing the final draft.*

After the first day, the students and I all knew something was wrong with the rubric. So together, we created another draft (Figure 8.5), which provided a much better match between the criteria and the task. The revisions helped the students see the connection between the question to be answered and the scoring guide.

After creating the second draft, all students were able to reach the standard. I was very pleased with the outcome. Students thought the assessment was fair because they were tested on concepts that had been taught. They loved having input into the revised rubric, which helped clarify the outcome.

A sample essay from one of Katie's students is provided in Figure 8.6

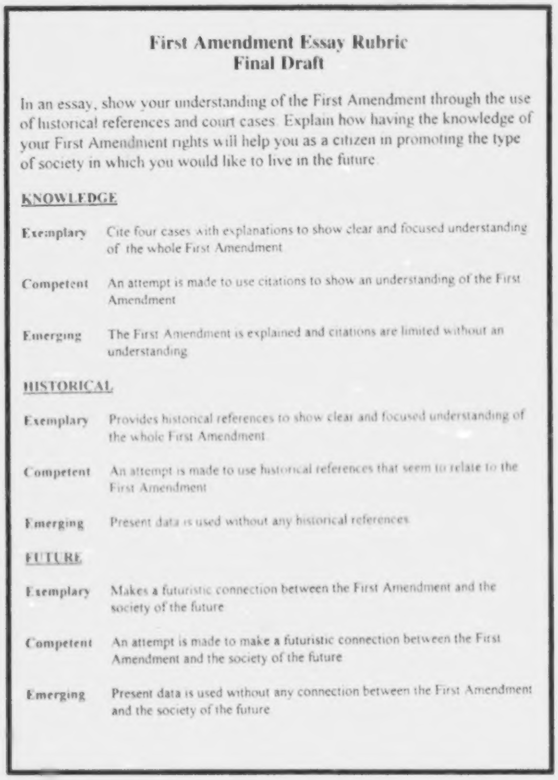


FIRST AMENDMENT ESSAY RUBRIC
(Draft #1)

In an essay, describe how each of your First Amendment rights might help you achieve your own personal goals and promote the type of society in which you would like to live in the future.

	EXEMPLARY	COMPETANT	EMERGING
KNOWLEDGE	Use of citations shows clear and focused understanding of the First Amendment.	An attempt is made to use citations to show an understanding of the First Amendment.	The First Amendment is explained and citations are limited without an understanding
HISTORICAL	Provides historical references that relate to the First Amendment	An attempt is made to use historical references that seem to relate to the First Amendment.	Present data is used without any historical references
FUTURE	Makes a futuristic connection between the First Amendment and the society of the future.	An attempt is made to make a futuristic connection between the First Amendment and the society of the future	Present data is used without any connection between the First Amendment and the society of the future
ORGANIZATION	The order, structure of the presentation is compelling. A strong introduction and conclusion with smooth transitions.	The introduction and conclustion is recognizable Transitions sometimes work well	No clear introduction or conclusion. Transitions are weak.
CONVENTIONS	Demonstrates correct usage,sentence structure, spelling and punctuation Paragraphing is sound	Errors in usage, sentence structure, spelling and punctuation tend to distract but are not overwhelming Paragraphing is irregular.	Numerous errors in usage, sentence structure, spelling and punctuation will make the text difficult to read. Paragraphing is absent

Figure 8.4. First draft of Katie Schultz's First Amendment task and essay rubric.



First Amendment Essay Rubric
Final Draft

In an essay, show your understanding of the First Amendment through the use of historical references and court cases. Explain how having the knowledge of your First Amendment rights will help you as a citizen in promoting the type of society in which you would like to live in the future.

KNOWLEDGE

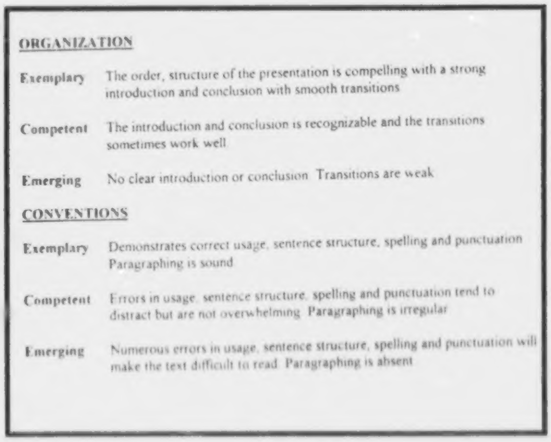
Exemplary	Cite four cases with explanations to show clear and focused understanding of the whole First Amendment
Competent	An attempt is made to use citations to show an understanding of the First Amendment
Emerging	The First Amendment is explained and citations are limited without an understanding

HISTORICAL

Exemplary	Provides historical references to show clear and focused understanding of the whole First Amendment
Competent	An attempt is made to use historical references that seem to relate to the First Amendment
Emerging	Present data is used without any historical references

FUTURE

Exemplary	Makes a futuristic connection between the First Amendment and the society of the future
Competent	An attempt is made to make a futuristic connection between the First Amendment and the society of the future
Emerging	Present data is used without any connection between the First Amendment and the society of the future



ORGANIZATION

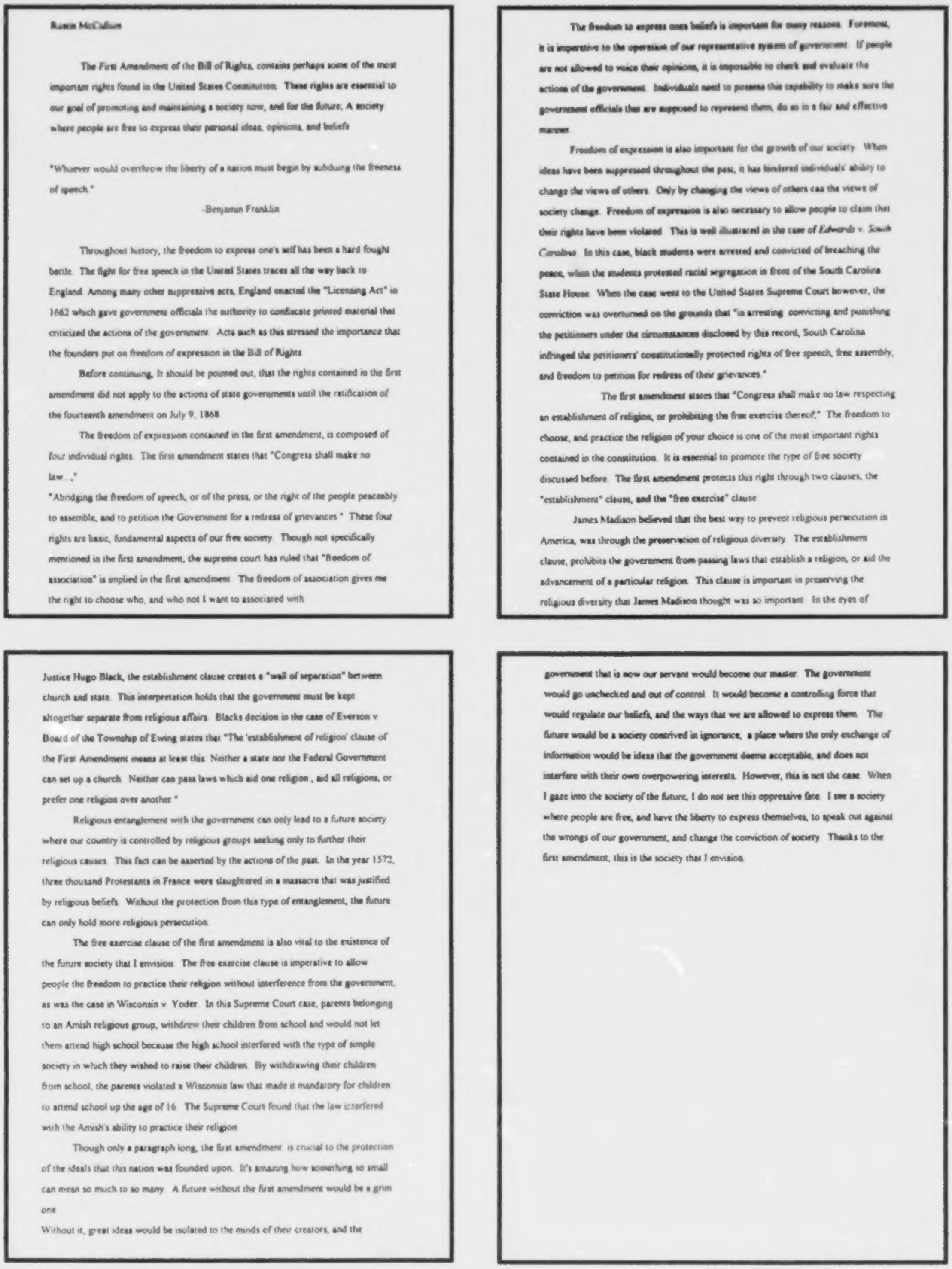
Exemplary	The order, structure of the presentation is compelling with a strong introduction and conclusion with smooth transitions
Competent	The introduction and conclusion is recognizable and the transitions sometimes work well
Emerging	No clear introduction or conclusion Transitions are weak

CONVENTIONS

Exemplary	Demonstrates correct usage, sentence structure, spelling and punctuation Paragraphing is sound
Competent	Errors in usage sentence structure, spelling and punctuation tend to distract but are not overwhelming Paragraphing is irregular
Emerging	Numerous errors in usage, sentence structure, spelling and punctuation will make the text difficult to read Paragraphing is absent

Figure 8.5. Final draft of Katie Schultz's First Amendment task and essay rubric.

© SSEC



Rawin McCallum

The First Amendment of the Bill of Rights, contains perhaps some of the most important rights found in the United States Constitution. These rights are essential to our goal of promoting and maintaining a society now, and for the future; A society where people are free to express their personal ideas, opinions, and beliefs

"Whoever would overthrow the liberty of a nation must begin by subduing the freeness of speech."

-Benjamin Franklin

Throughout history, the freedom to express one's self has been a hard fought battle. The fight for free speech in the United States traces all the way back to England. Among many other suppressive acts, England enacted the "Licensing Act" in 1662 which gave government officials the authority to confiscate printed material that criticized the actions of the government. Acts such as this stressed the importance that the founders put on freedom of expression in the Bill of Rights

Before continuing, It should be pointed out, that the rights contained in the first amendment did not apply to the actions of state goverments until the ratification of the fourteenth amendment on July 9, 1868

The freedom of expression contained in the first amendment, is composed of four individual rights. The first amendment states that "Congress shall make no law...,"

"Abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances." These four rights are basic, fundamental aspects of our free society. Though not specifically mentioned in the first amendment, the supreme court has ruled that "freedom of association" is implied in the first amendment. The freedom of association gives me the right to choose who, and who not I want to associated with

The freedom to express ones beliefs is important for many reasons. Foremost, it is imperative to the operation of our representative system of government. If people are not allowed to voice their opinions, it is impossible to check and evaluate the actions of the government. Individuals need to possess this capability to make sure the government officials that are supposed to represent them, do so in a fair and effective manner.

Freedom of expression is also important for the growth of our society. When ideas have been suppressed throughout the past, it has hindered individuals' ability to change the views of others. Only by changing the views of others can the views of society change. Freedom of expression is also necessary to allow people to claim that their rights have been violated. This is well illustrated in the case of *Edwards v. South Carolina*. In this case, black students were arrested and convicted of breaching the peace, when the students protested racial segregation in front of the South Carolina State House. When the case went to the United States Supreme Court however, the conviction was overturned on the grounds that "in arresting, convicting and punishing the petitioners under the circumstances disclosed by this record, South Carolina infringed the petitioners' constitutionally protected rights of free speech, free assembly, and freedom to petition for redress of their grievances."

The first amendment states that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof;" The freedom to choose, and practice the religion of your choice is one of the most important rights contained in the constitution. It is essential to promote the type of free society discussed before. The first amendment protects this right through two clauses, the "establishment" clause, and the "free exercise" clause

James Madison believed that the best way to prevent religious persecution in America, was through the preservation of religious diversity. The establishment clause, prohibits the government from passing laws that establish a religion, or aid the advancement of a particular religion. This clause is important in preserving the religious diversity that James Madison thought was so important. In the eyes of Justice Hugo Black, the establishment clause creates a "wall of separation" between church and state. This interpretation holds that the government must be kept altogether separate from religious affairs. Blacks decision in the case of Everson v Board of the Township of Ewing states that "The 'establishment of religion' clause of the First Amendment means at least this. Neither a state nor the Federal Government can set up a church. Neither can pass laws which aid one religion , aid all religions, or prefer one religion over another."

Religious entanglement with the government can only lead to a future society where our country is controlled by religious groups seeking only to further their religious causes. This fact can be asserted by the actions of the past. In the year 1572, three thousand Protestants in France were slaughtered in a massacre that was justified by religious beliefs. Without the protection from this type of entanglement, the future can only hold more religious persecution

The free exercise clause of the first amendment is also vital to the existence of the future society that I envision. The free exercise clause is imperative to allow people the freedom to practice their religion without interference from the government, as was the case in Wisconsin v. Yoder. In this Supreme Court case, parents belonging to an Amish religious group, withdrew their children from school and would not let them attend high school because the high school interfered with the type of simple society in which they wished to raise their children. By withdrawing their children from school, the parents violated a Wisconsin law that made it mandatory for children to attend school up the age of 16. The Supreme Court found that the law interfered with the Amish's ability to practice their religion

Though only a paragraph long, the first amendment is crucial to the protection of the ideals that this nation was founded upon. It's amazing how something so small can mean so much to so many. A future without the first amendment would be a grim one

Without it, great ideas would be isolated to the minds of their creators, and the government that is now our servant would become our master. The government would go unchecked and out of control. It would become a controlling force that would regulate our beliefs, and the ways that we are allowed to express them. The future would be a society contrived in ignorance, a place where the only exchange of information would be ideas that the government deems acceptable, and does not interfere with their own overpowering interests. However, this is not the case. When I gaze into the society of the future, I do not see this oppressive fate. I see a society where people are free, and have the liberty to express themselves, to speak out against the wrongs of our government, and change the conviction of society. Thanks to the first amendment, this is the society that I envision.

Figure 8.6. Sample First Amendment essay from Katie Schultz's student.

Legal writing is similar to essay writing, but may focus more specifically on methods of inquiry or modes of thinking in law. Legal writing can include writing legal opinions or briefs; these forms of authentic writing in civic life have particular audiences that students must address (although we recognize that most students in their adult lives will not write legal opinions as judges or briefs as lawyers) and require certain forms of thinking and analysis. The role of briefs in a larger moot court activity, as discussed in Chapter 7, illustrates an effective use of legal writing.

Another example of legal writing is the case study analysis. Preparation of case study analyses is a technique used in law schools and is useful in developing students' critical thinking skills.

Introducing Legal Writing

While legal writing is, in many ways, similar to writing an essay, there are also some special requirements that must be introduced to students. One way to introduce legal writing, used in law schools, is the IRAC method—for Issue, Rule, Analysis, and Conclusion. First students state the issue that must be answered. They then cite the applicable law and legal precedents. The analysis phase involves applying the applicable law to the facts of the case. Finally, the student states a conclusion to the issue.

Cynthia Grove of Troy High School in Michigan uses the IRAC model to structure her students' writing on legal issues. Rather than simply assigning the writing of a legal opinion, she asks students to use the IRAC model to shape their opinions. She provides instruction in the use of the model, plus samples and descriptions of levels of performance, before asking students to employ the model.

Another commonly used model for writing case study analyses (also used in discussion of case studies) is to have students go through the following steps:

- Step 1: Review of the Facts
  What are the significant facts in the case?
- Step 2: Investigation of Issues/Arguments
  What legal issues are involved?
  What arguments might be presented?
- Step 3: Consideration of Decision and Reasoning
  What would you decide? Why?
  What was the court's decision?
  Why did the court come to that conclusion?

An example of a prompt for legal writing is provided in Figure 8.7.

The Bethlehem (PA) Area School District required that all high school students perform 60 hours of community service. The parents of a girl challenged this requirement, arguing that the program violates the 13th Amendment's prohibition of involuntary servitude. They also argued that by deciding which activities are acceptable, the school district imposed moral beliefs on students in violation of the First Amendment's guarantee of free speech. The school district argued that the community service requirement served a legitimate educational purpose and did not require that students adhere to a particular set of beliefs. The mandatory service program was upheld by a federal district court and by the U.S. Court of Appeals. The case was appealed to the Supreme Court.

If you were a Supreme Court Justice, how would you vote on this case? Write an opinion explaining your position and the reasoning and legal precedent that support it.

Figure 8.7. Sample prompt for legal writing.

Assessing Legal Writing

Dan May, a teacher at O'Fallon High School in O'Fallon, Illinois, has used case study analyses as assessments in his civics and government classes. A recent assessment Dan used asked students to write a position paper on the Supreme Court case, *Vernonia v. Acton*. The purpose of the assessment was to have students demonstrate their ability to:

- Take a position and support it.
- Support a position using personal opinion, facts from a case, legal precedents, and quotes from a Supreme Court opinion.
- Evaluate and critique an opposing position.
- Assess the societal impact of a policy or law.

Dan's assessment illustrates how closely assessment must be tied to instruction. To prepare for the assessment, students were provided with a summary of the facts and issues of *Vernonia v. Acton*, along with summaries of related cases. Using the case study method, the class discussed what had brought the case to court. Each student was then assigned a role for a moot court activity. Following preparation for and conduct of the moot court, students were given the decision in the case, along with summaries of the majority and dissenting opinions. Students were then given the assessment task and rubric to use as a guide (Figure 8.8). Sample student papers on the decision are provided in Figure 8.9.

Here are Dan's reflections on the assessment:

Two sayings that influence my instruction and assessment are:

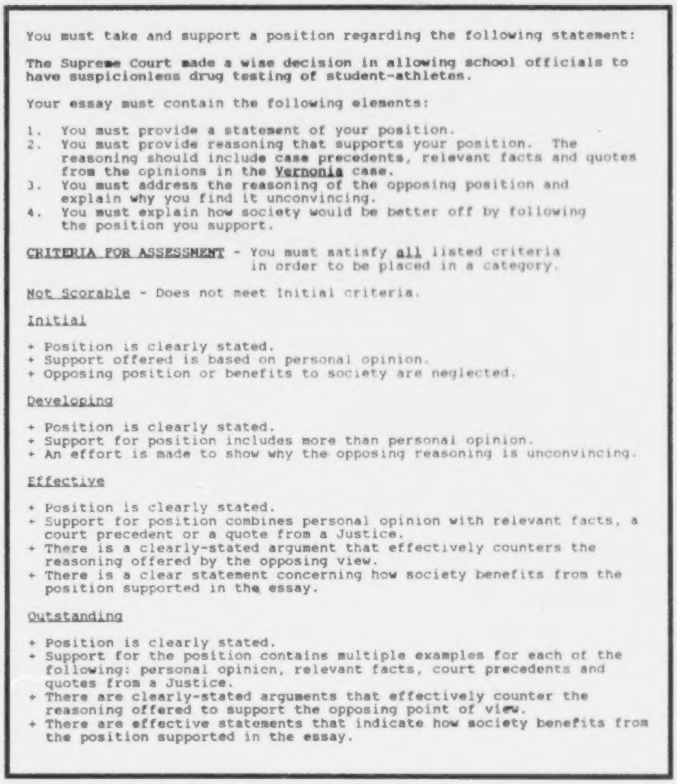
1. If you don't know where you are going, you'll probably end up somewhere else.

2. We judge ourselves by what we are capable of doing; others judge us by what we have done.

As I've worked to develop authentic assessment tasks, the first quote reminds me to provide clear instructions for the students. It is my intent to let students know what is expected of them because they're more likely to reach the goals created for a task. It is also used to remind students that there is a direction for them to go, and following the "road map" (rubric) can be helpful in reaching the desired goal.

I've revised the rubric several times to improve the clarity of the instruction. The language originally used in the first rubric was confusing regarding the number of examples that were needed to be on the highest level. With the help of an English teacher, my sentence construction improved along with the clarity of the instruction.

The second quote influences me to be consistent and insist that students address all criteria in the description of a particular performance level. The different levels prescribe different components and all must



You must take and support a position regarding the following statement:

The Supreme Court made a wise decision in allowing school officials to have suspicionless drug testing of student-athletes.

Your essay must contain the following elements:

1. You must provide a statement of your position.
2. You must provide reasoning that supports your position. The reasoning should include case precedents, relevant facts and quotes from the opinions in the Vernonia case.
3. You must address the reasoning of the opposing position and explain why you find it unconvincing.
4. You must explain how society would be better off by following the position you support.

CRITERIA FOR ASSESSMENT - You must satisfy all listed criteria in order to be placed in a category.

Not Scorable - Does not meet Initial criteria.

Initial

- Position is clearly stated.
- Support offered is based on personal opinion.
- Opposing position or benefits to society are neglected.

Developing

- Position is clearly stated.
- Support for position includes more than personal opinion.
- An effort is made to show why the opposing reasoning is unconvincing.

Effective

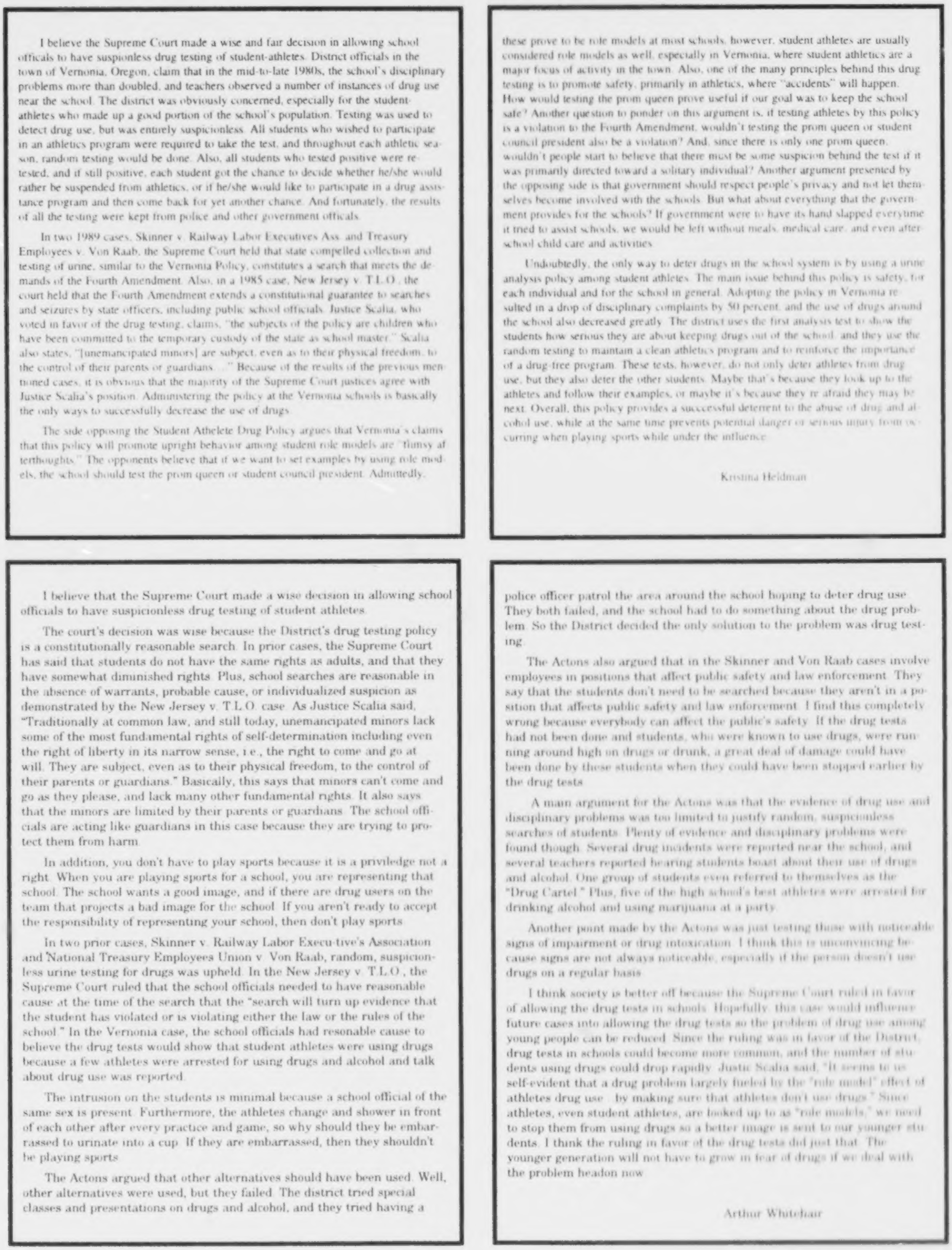
- Position is clearly stated.
- Support for position combines personal opinion with relevant facts, a court precedent or a quote from a Justice.
- There is a clearly-stated argument that effectively counters the reasoning offered by the opposing view.
- There is a clear statement concerning how society benefits from the position supported in the essay.

Outstanding

- Position is clearly stated.
- Support for the position contains multiple examples for each of the following: personal opinion, relevant facts, court precedents and quotes from a Justice.
- There are clearly-stated arguments that effectively counter the reasoning offered to support the opposing point of view.
- There are effective statements that indicate how society benefits from the position supported in the essay.

Figure 8.8. Dan May's legal writing assessment task and rubric.

© SSEC



I believe the Supreme Court made a wise and fair decision in allowing school officals to have suspionless drug testing of student-athletes. District officials in the town of Vernonia, Oregon, claim that in the mid-to-late 1980s, the school's disciplinary problems more than doubled, and teachers observed a number of instances of drug use near the school. The district was obviously concerned, especially for the student-athletes who made up a good portion of the school's population. Testing was used to detect drug use, but was entirely suspicionless. All students who wished to participate in an athletics program were required to take the test, and throughout each athletic season, random testing would be done. Also, all students who tested positive were re-tested, and if still positive, each student got the chance to decide whether he/she would rather be suspended from athletics, or if he/she would like to participate in a drug assistance program and then come back for yet another chance. And fortunately, the results of all the testing were kept from police and other government officals.

In two 1989 cases, Skinner v. Railway Labor Executives Ass. and Treasury Employees v. Von Raab, the Supreme Court held that state compelled collection and testing of urine, similar to the Vernonia Policy, constitutes a search that meets the demands of the Fourth Amendment. Also, in a 1985 case, New Jersey v. T.L.O., the court held that the Fourth Amendment extends a constitutional guarantee to searches and seizures by state officers, including public school officials. Justice Scalia, who voted in favor of the drug testing, claims, "the subjects of the policy are children who have been committed to the temporary custody of the state as school master." Scalia also states, "[unemancipated minors] are subject, even as to their physical freedom, to the control of their parents or guardians. . ." Because of the results of the previous mentioned cases, it is obvious that the majority of the Supreme Court justices agree with Justice Scalia's position. Administering the policy at the Vernonia schools is basically the only ways to successfully decrease the use of drugs.

The side opposing the Student Athelete Drug Policy argues that Vernonia's claims that this policy will promote upright behavior among student role models are "flimsy afterthoughts." The opponents believe that if we want to set examples by using role models, the school should test the prom queen or student council president. Admittedly, these prove to be role models at most schools, however, student athletes are usually considered role models as well, especially in Vernonia, where student athletics are a major focus of activity in the town. Also, one of the many principles behind this drug testing is to promote safety, primarily in athletics, where "accidents" will happen. How would testing the prom queen prove useful if our goal was to keep the school safe? Another question to ponder on this argument is, if testing athletes by this policy is a violation to the Fourth Amendment, wouldn't testing the prom queen or student council president also be a violation? And, since there is only one prom queen, wouldn't people start to believe that there must be some suspicion behind the test if it was primarily directed toward a solitary individual? Another argument presented by the opposing side is that government should respect people's privacy and not let themselves become involved with the schools. But what about everything that the government provides for the schools? If government were to have its hand slapped everytime it tried to assist schools, we would be left without meals, medical care, and even after school child care and activities.

Undoubtedly, the only way to deter drugs in the school system is by using a urine analysis policy among student athletes. The main issue behind this policy is safety, for each individual and for the school in general. Adopting the policy in Vernonia resulted in a drop of disciplinary complaints by 50 percent, and the use of drugs around the school also decreased greatly. The district uses the first analysis test to show the students how serious they are about keeping drugs out of the school, and they use the random testing to maintain a clean athletics program and to reinforce the importance of a drug-free program. These tests, however, do not only deter athletes from drug use, but they also deter the other students. Maybe that's because they look up to the athletes and follow their examples, or maybe it's because they're afraid they may be next. Overall, this policy provides a successful deterrent to the abuse of drug and alcohol use, while at the same time prevents potential danger or serious injury from occurring when playing sports while under the influence.

Kristina Heldman

I believe that the Supreme Court made a wise decision in allowing school officials to have suspicionless drug testing of student athletes.

The court's decision was wise because the District's drug testing policy is a constitutionally reasonable search. In prior cases, the Supreme Court has said that students do not have the same rights as adults, and that they have somewhat diminished rights. Plus, school searches are reasonable in the absence of warrants, probable cause, or individualized suspicion as demonstrated by the New Jersey v. T.L.O. case. As Justice Scalia said, "Traditionally at common law, and still today, unemancipated minors lack some of the most fundamental rights of self-determination including even the right of liberty in its narrow sense, i.e., the right to come and go at will. They are subject, even as to their physical freedom, to the control of their parents or guardians." Basically, this says that minors can't come and go as they please, and lack many other fundamental rights. It also says that the minors are limited by their parents or guardians. The school officials are acting like guardians in this case because they are trying to protect them from harm.

In addition, you don't have to play sports because it is a priviledge not a right. When you are playing sports for a school, you are representing that school. The school wants a good image, and if there are drug users on the team that projects a bad image for the school. If you aren't ready to accept the responsibility of representing your school, then don't play sports.

In two prior cases, Skinner v. Railway Labor Execu-tive's Association and National Treasury Employees Union v. Von Raab, random, suspicionless urine testing for drugs was upheld. In the New Jersey v. T.L.O., the Supreme Court ruled that the school officials needed to have reasonable cause at the time of the search that the "search will turn up evidence that the student has violated or is violating either the law or the rules of the school." In the Vernonia case, the school officials had resonable cause to believe the drug tests would show that student athletes were using drugs because a few athletes were arrested for using drugs and alcohol and talk about drug use was reported.

The intrusion on the students is minimal because a school official of the same sex is present. Furthermore, the athletes change and shower in front of each other after every practice and game, so why should they be embarrassed to urinate into a cup. If they are embarrassed, then they shouldn't be playing sports.

The Actons argued that other alternatives should have been used. Well, other alternatives were used, but they failed. The district tried special classes and presentations on drugs and alcohol, and they tried having a police officer patrol the area around the school hoping to deter drug use. They both failed, and the school had to do something about the drug problem. So the District decided the only solution to the problem was drug testing.

The Actons also argued that in the Skinner and Von Raab cases involve employees in positions that affect public safety and law enforcement. They say that the students don't need to be searched because they aren't in a position that affects public safety and law enforcement. I find this completely wrong because everybody can affect the public's safety. If the drug tests had not been done and students, who were known to use drugs, were running around high on drugs or drunk, a great deal of damage could have been done by these students when they could have been stopped earlier by the drug tests.

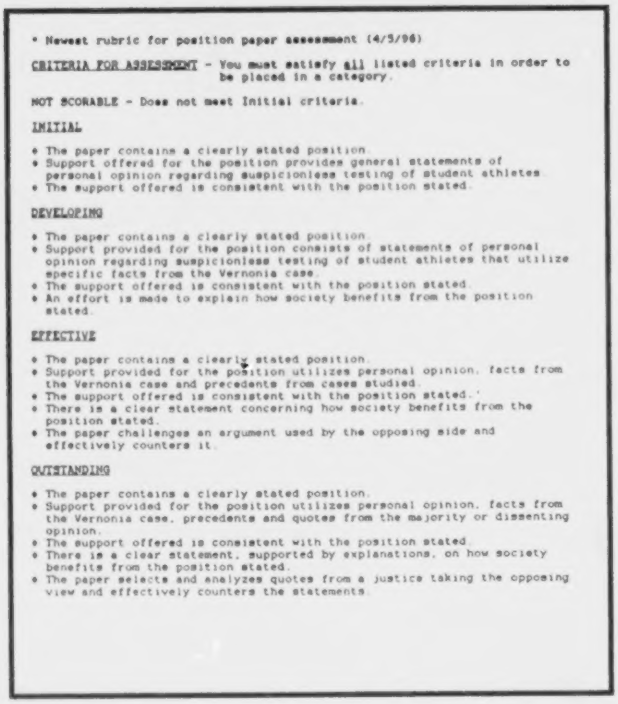
A main argument for the Actons was that the evidence of drug use and disciplinary problems was too limited to justify random, suspicionless searches of students. Plenty of evidence and disciplinary problems were found though. Several drug incidents were reported near the school, and several teachers reported hearing students boast about their use of drugs and alcohol. One group of students even referred to themselves as the "Drug Cartel." Plus, five of the high school's best athletes were arrested for drinking alcohol and using marijuana at a party.

Another point made by the Actons was just testing those with noticeable signs of impairment or drug intoxication. I think this is unconvincing because signs are not always noticeable, especially if the person doesn't use drugs on a regular basis.

I think society is better off because the Supreme Court ruled in favor of allowing the drug tests in schools. Hopefully, this case would influence future cases into allowing the drug tests so the problem of drug use among young people can be reduced. Since the ruling was in favor of the District, drug tests in schools could become more common, and the number of students using drugs could drop rapidly. Justic Scalia said, "It seems to us self-evident that a drug problem largely fueled by the "role model" effect of athletes drug use . . by making sure that athletes don't use drugs." Since athletes, even student athletes, are looked up to as "role models," we need to stop them from using drugs so a better image is sent to our younger students. I think the ruling in favor of the drug tests did just that. The younger generation will not have to grow in fear of drugs if we deal with the problem headon now.

Arthur Whitehair

Figure 8.9. Sample student position papers on Vernonia v. Acton.



- Newest rubric for position paper assessment (4/5/96)

CRITERIA FOR ASSESSMENT - You must satisfy all listed criteria in order to be placed in a category.

NOT SCORABLE - Does not meet Initial criteria.

INITIAL

- The paper contains a clearly stated position.
- Support offered for the position provides general statements of personal opinion regarding suspicionless testing of student athletes.
- The support offered is consistent with the position stated.

DEVELOPING

- The paper contains a clearly stated position.
- Support provided for the position consists of statements of personal opinion regarding suspicionless testing of student athletes that utilize specific facts from the Vernonia case.
- The support offered is consistent with the position stated.
- An effort is made to explain how society benefits from the position stated.

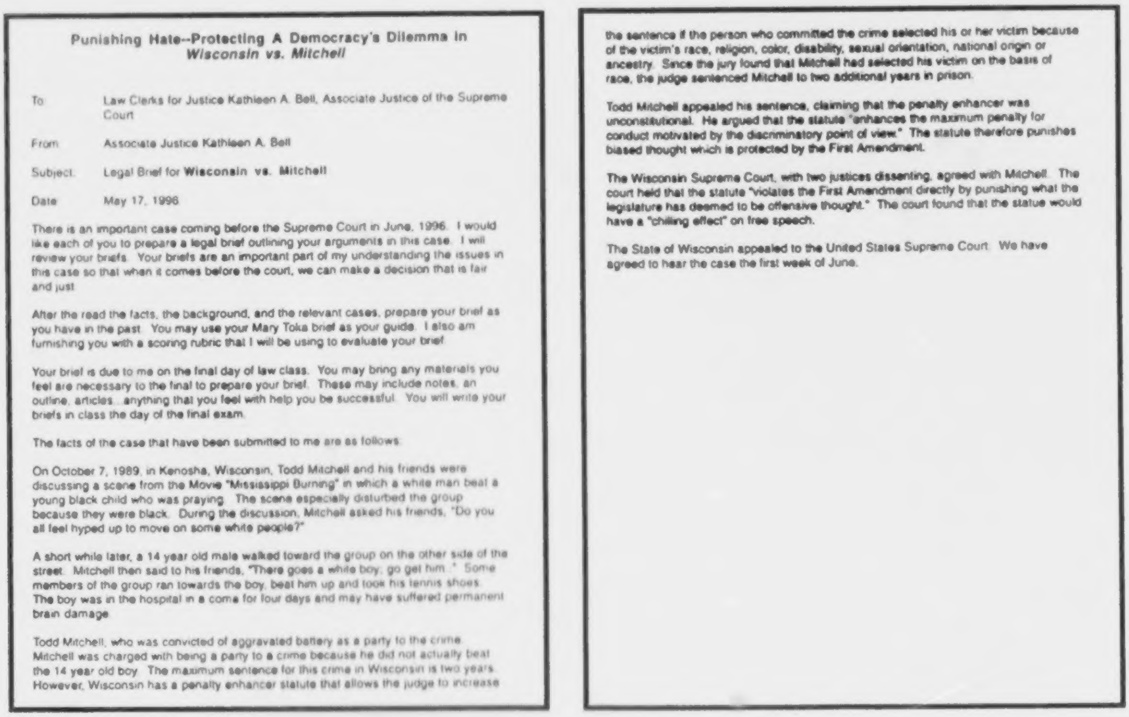
EFFECTIVE

- The paper contains a clearly stated position.
- Support provided for the position utilizes personal opinion, facts from the Vernonia case and precedents from cases studied.
- The support offered is consistent with the position stated.'
- There is a clear statement concerning how society benefits from the position stated.
- The paper challenges an argument used by the opposing side and effectively counters it.

OUTSTANDING

- The paper contains a clearly stated position.
- Support provided for the position utilizes personal opinion, facts from the Vernonia case, precedents and quotes from the majority or dissenting opinion.
- The support offered is consistent with the position stated.
- There is a clear statement, supported by explanations, on how society benefits from the position stated.
- The paper selects and analyzes quotes from a justice taking the opposing view and effectively counters the statements.

Figure 8.10. Dan May's rubric revised after analyzing student papers and reconsidering importance of particular criteria.



Punishing Hate--Protecting A Democracy's Dilemma in *Wisconsin vs. Mitchell*

To: Law Clerks for Justice Kathleen A. Bell, Associate Justice of the Supreme Court

From: Associate Justice Kathleen A. Bell

Subject: Legal Brief for **Wisconsin vs. Mitchell**

Date: May 17, 1996

There is an important case coming before the Supreme Court in June, 1996. I would like each of you to prepare a legal brief outlining your arguments in this case. I will review your briefs. Your briefs are an important part of my understanding the issues in this case so that when it comes before the court, we can make a decision that is fair and just.

After the read the facts, the background, and the relevant cases, prepare your brief as you have in the past. You may use your Mary Toka brief as your guide. I also am furnishing you with a scoring rubric that I will be using to evaluate your brief.

Your brief is due to me on the final day of law class. You may bring any materials you feel are necessary to the final to prepare your brief. These may include notes, an outline, articles...anything that you feel with help you be successful. You will write your briefs in class the day of the final exam.

The facts of the case that have been submitted to me are as follows:

On October 7, 1989, in Kenosha, Wisconsin, Todd Mitchell and his friends were discussing a scene from the Movie "Mississippi Burning" in which a white man beat a young black child who was praying. The scene especially disturbed the group because they were black. During the discussion, Mitchell asked his friends, "Do you all feel hyped up to move on some white people?"

A short while later, a 14 year old male walked toward the group on the other side of the street. Mitchell then said to his friends, "There goes a white boy; go get him..." Some members of the group ran towards the boy, beat him up and took his tennis shoes. The boy was in the hospital in a coma for four days and may have suffered permanent brain damage.

Todd Mitchell, who was convicted of aggravated battery as a party to the crime. Mitchell was charged with being a party to a crime because he did not actually beat the 14 year old boy. The maximum sentence for this crime in Wisconsin is two years. However, Wisconsin has a penalty enhancer statute that allows the judge to increase the sentence if the person who committed the crime selected his or her victim because of the victim's race, religion, color, disability, sexual orientation, national origin or ancestry. Since the jury found that Mitchell had selected his victim on the basis of race, the judge sentenced Mitchell to two additional years in prison.

Todd Mitchell appealed his sentence, claiming that the penalty enhancer was unconstitutional. He argued that the statute "enhances the maximum penalty for conduct motivated by the discriminatory point of view." The statute therefore punishes biased thought which is protected by the First Amendment.

The Wisconsin Supreme Court, with two justices dissenting, agreed with Mitchell. The court held that the statute "violates the First Amendment directly by punishing what the legislature has deemed to be offensive thought." The court found that the statue would have a "chilling effect" on free speech.

The State of Wisconsin appealed to the United States Supreme Court. We have agreed to hear the case the first week of June.

Figure 8.11. Kathy Bell's legal brief final exam.

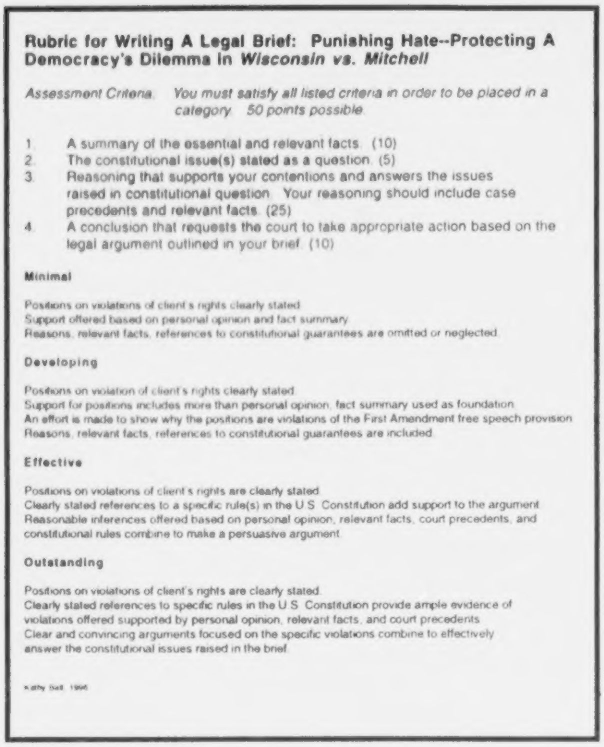
be present to say one is at that level. One of the things that I've done to allow students to work toward a goal is to provide them with feedback on their papers, allow time for revisions, and invite the students to submit their papers again.

The rubric has been changed to more accurately reflect what I thought was important for the students to achieve. My most recent rubric (Figure 8.10) has not been used yet, and I'll be interested to see if it helps produce better position papers. In the most recent rubric, I tried to have an improved progression regarding what is to be included. I thought the benefits to society were important enough that they should be included at the developing stage rather than consided appropriate for only the effective and outstanding levels.

My rubric utilizes what I hope is a reasonable progression of information and skill. Each level contains what is needed for the previous one and builds in another item or a more skilled demonstration of ability. Hopefully, the student doesn't become overwhelmed by the task because it is broken down into individual items that may make the task appear more manageable. The student should also see why there are distinctions among the categories and what skills require more effort and are considered more highly developed.

The task worked well to assess student performance. It allowed the student to demonstrate an understanding of the facts of the case, the issue, and the wisdom of the decision. It also had the students analyze the societal impact of the decision, making them take the case out of the judicial arena and apply it to the real world. It was the application to the real world that caused me to revise the rubric in order to have all students emphasize the impact of the decision.

Kathy Bell, a teacher at Mundelein High School in Illinois, used a somewhat different legal writing task for the final exam in her law class. Kathy asked her students to prepare legal briefs in the case of *Wisconsin v. Mitchell* (Figure 8.11). Prior to this assessment, students had analyzed and prepared briefs on another case, so they had been introduced to the elements of an effective brief, had received feedback on their attempts to write briefs, and had had an opportunity to review briefs at all performance levels on Kathy's rubric (Figure 8.12).



Rubric for Writing A Legal Brief: Punishing Hate--Protecting A Democracy's Dilemma in *Wisconsin vs. Mitchell*

Assessment Criteria: You must satisfy all listed criteria in order to be placed in a category. 50 points possible.

1. A summary of the essential and relevant facts. (10)
2. The constitutional issue(s) stated as a question. (5)
3. Reasoning that supports your contentions and answers the issues raised in constitutional question. Your reasoning should include case precedents and relevant facts. (25)
4. A conclusion that requests the court to take appropriate action based on the legal argument outlined in your brief. (10)

Minimal

Positions on violations of client's rights clearly stated
Support offered based on personal opinion and fact summary
Reasons, relevant facts, references to constitutional guarantees are omitted or neglected

Developing

Positions on violation of client's rights clearly stated
Support for positions includes more than personal opinion, fact summary used as foundation
An effort is made to show why the positions are violations of the First Amendment free speech provision
Reasons, relevant facts, references to constitutional guarantees are included

Effective

Positions on violations of client's rights are clearly stated
Clearly stated references to a specific rule(s) in the U.S. Constitution add support to the argument
Reasonable inferences offered based on personal opinion, relevant facts, court precedents, and constitutional rules combine to make a persuasive argument

Outstanding

Positions on violations of client's rights are clearly stated.
Clearly stated references to specific rules in the U.S. Constitution provide ample evidence of violations offered supported by personal opinion, relevant facts, and court precedents
Clear and convincing arguments focused on the specific violations combine to effectively answer the constitutional issues raised in the brief

Kathy Bell 1996

Figure 8.12. Rubric for Kathy Bell's legal brief final exam.

Reflection/Exercise

Read the student work provided in Figure 8.9. Using Dan's rubric, how would you score these two papers? What, if any, characteristics are missing from each paper?

Based on your reading of the student work, what feedback would you give the students to help them improve their performance? What feedback would you give Dan to help improve the task and rubric?

Next, compare Dan's and Kathy's tasks and rubrics. Which do you prefer? Why? What important outcomes for your class could you assess using this task? What adaptations would you make? Could rubrics from the essay section of this chapter be used to improve the rubrics for legal writing? If so, how?

Correspondence

Writing correspondence—to public officials, the media, or to other citizens—is another form of writing appropriate in civic education. A unique aspect of this form of writing is that it has a very particular audience. Thus, it is a good way to assess to what degree students understand not only the appropriate forms for various audiences, but also the types of evidence and argument that will be most persuasive.

Teachers in our project agreed that writing for real audiences—not just the teacher or classmates—was an important aspect of civic education that also contributed to students' sense of efficacy. Carla O'Boyle, a teacher in an eighth-grade "school-within-a-school" program at Heritage Middle School in Longmont, Colorado, instituted a letter-writing project as part of a civic issues unit. Although Carla's students began the project with the attitude that "I'm just a kid—what good will this do?," receiving responses to their letters from public officials had a positive effect on their views of how average citizens could affect decision making. (Teachers should note, however, that some states have imposed limits on students writing to public officials. Be aware of the requirements in your state before assigning this type of writing task.)

Introducing Letter Writing

Like legal writing, effective letters to public officials, the media, or other citizens have some special characteristics that students should understand and have practice creating before they are asked to produce a piece of correspondence as an assessment. For example, among the skills of writing an effective letter to a public official include (1) addressing a letter on a particular topic to an appropriate recipient (i.e., students should not send letters on city traffic issues to their member of Congress), (2) tailoring the letter so it appeals to the interests and values of the recipient, and (3) being brief (see Figure 8.13 for additional tips). In working with middle school students at Van Hoosen Middle School in Michigan, Greg Clevenger found that most students had never written a letter to other than friends and family members before. Thus, he found that providing a sample letter actually sent by a citizen to the local Congressman was essential before students began working on such letters.

Real-world exemplars are readily available for another type of correspondence—letters to the editor. To determine what makes an effective letter to the editor, students could look for guidelines in their local newspaper and analyze letters that appear in print.

Regardless of which type of correspondence you choose to use as an assessment, students should have the opportunity to become familiar with and practice the special skills involved in producing that type of correspondence. Some examples of prompts for writing correspondence are provided in Figure 8.14.

Tips for Writing to Public Officials

1. If possible, type your letter. If you cannot do that, write very neatly. Put your return address on the letter, since the envelope might get thrown away.
2. Be specific about the topic of your letter. If you are writing about legislation, give the name of the bill and the representatives who are sponsoring it. Discuss only one issue in each letter you write.
3. Courteously explain why you are writing. Your own personal experience is the best supporting evidence you can give for your position. Explain how the issue affects you, your family, or your community. Or describe how you think the issue would affect your state or the nation.
4. Be brief, but not so brief that your point is lost. A one-page letter is ideal. More than two pages is too much.
5. Show that you are familiar with the official's past positions or actions related to the issue. If there are actions or ideas you can agree with, mention this fact. Thank the official for positive actions.
6. Mention your occupation and any group you belong to that has a position on this issue. However, don't simply parrot the positions of the group. Express your ideas in your own words and show that you have done research into the issue.
7. Do not be rude or make threats. It will *not* help you advance your ideas.
8. Ask for a reply letter describing the official's position. You have a right to know what your representatives think and plan to do about important issues.
9. Don't forget to sign your name.

Reprinted by permission of the First Amendment Congress.

Figure 8.13 Tips for writing letters to public officials.

Your high school has an open campus policy. Several recent incidents at businesses and in parks near the school have led local leaders to call for a closed campus. The local newspaper has carried several letters to the editor and an editorial criticizing students at your school as too irresponsible to handle the privilege of an open campus. You strongly disagree. Write a letter to the editor of the newspaper making the case for an open campus. Use any legal and constitutional grounds that are applicable.

In a number of recent cases, juveniles—some as young as 12— have been tried as adults. Their crimes, some people argue, are so heinous that they deserve to be punished to the full extent of the law. Furthermore, these people maintain, the rising tide of violence among teenagers requires strong action. On the other hand, some people argue that the juvenile justice system was established because young people do not make decisions in the same way as adults do. Thus, no matter how heinous their crimes, they deserve to be treated as what they are—young people whose moral and logical reasoning capacities are not yet fully developed. A special session of your state legislature will soon be considering changes in the laws regarding when and under what conditions juveniles can be tried as adults. Write a letter to your state representative explaining your views on this issue.

Having participated in the *Vickers v. Hearst* mock trial, what advice might you give to someone who is serving alcohol at a party in his/her home? Your answer should address the following questions:

- What does the law say about the responsibility of social hosts?
- What precedent is established through the verdict in the classroom mock trial?
- Do you agree or disagree with the verdict?

Your response can take the form of a letter to a friend, a letter to the editor of a newspaper, or a TV or radio commentary.

Figure 8.14. Sample prompts for writing letters.

Reflection/Exercise

Select one of the prompts from Figure 8.14. What prior instruction can you infer from the prompt? What would students need to know about the form of writing in order to be successful? What substantive legal knowledge would they need in order to write an exemplary response?

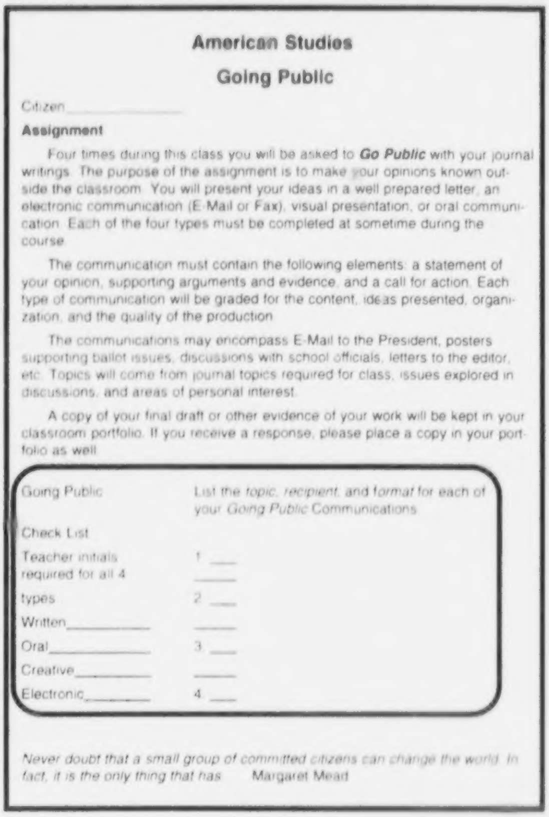
Assessing Correspondence

Kent Wellmann and Dorotha Ekx, a social studies/language arts team teaching an integrated American studies course at Longmont High School in Longmont, Colorado, decided to place major emphasis on students' "going public" with their writing. Because they had a rubric format that students were familiar with and with which Kent and Dortha felt comfortable, they developed a rubric for scoring public presentations in their own format. The rubric included separate scores for use of facts and resources, arguments and reasoning, style and audience, and due dates and preparation sheets. The scores on the four criteria were weighted to show the importance Kent and Dortha gave to each criterion (see Figure 8.15 for rubric and assignment sheet).

Here is how Kent and Dorotha describe their "Going Public" writing experience:

> *"Going Public" is a culminating experience at the end of four different units in an integrated U.S. History and American Literature/Composition Class we call American Studies. An overriding theme of our course is that "words have power" and that students need to develop their powers to influence others through expression of opinions in well organized, logical ways. The basic idea behind "Going Public" is for students to share their work, ideas, and opinions with a real audience. It combines two essential goals: participatory citizenship from social studies and effective communication skills from language arts.*
>
> *All of our units have a similar structure. The central organizing concept is an assessment... that enables students to display what they have learned. A typical unit flows from introduction of the unit, activities, assessment, and criteria; to information gathering and processing; to preparation of assessment products; to revision and final production; to evaluation. Each assessment has an assignment sheet detailing the product or performance; a prep sheet used to assist students in organizing themselves for the assessment; and a grade sheet with criteria.*
>
> *The scoring rubric also remains similar for all units and assessments. We look for four kinds of evidence of student learning:*
>
> - *Content—the knowledge and use of factual information.*

"During the student preparation process, students have mini-conferences with the teachers and other students... Teachers encourage students to revise and redo their communications numerous times."



American Studies

Going Public

Citizen______________

Assignment

Four times during this class you will be asked to ***Go Public*** with your journal writings. The purpose of the assignment is to make your opinions known outside the classroom. You will present your ideas in a well prepared letter, an electronic communication (E-Mail or Fax), visual presentation, or oral communication. Each of the four types must be completed at sometime during the course.

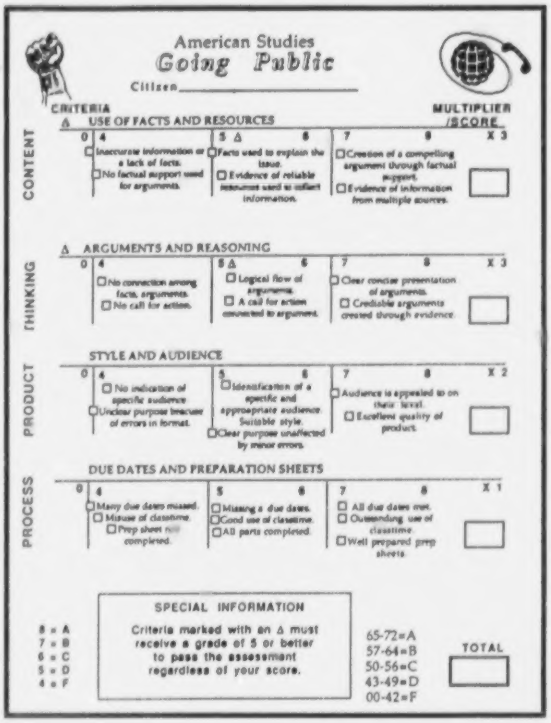
The communication must contain the following elements: a statement of your opinion, supporting arguments and evidence, and a call for action. Each type of communication will be graded for the content, ideas presented, organization, and the quality of the production.

The communications may encompass E-Mail to the President, posters supporting ballot issues, discussions with school officials, letters to the editor, etc. Topics will come from journal topics required for class, issues explored in discussions, and areas of personal interest.

A copy of your final draft or other evidence of your work will be kept in your classroom portfolio. If you receive a response, please place a copy in your portfolio as well.

Going Public	List the *topic, recipient,* and *format* for each of your *Going Public* Communications
Check List	
Teacher initials required for all 4	1. ___ _____
types	2. ___
Written__________	_____
Oral____________	3. ___
Creative_________	_____
Electronic________	4. ___

Never doubt that a small group of committed citizens can change the world. In fact, it is the only thing that has. Margaret Mead



American Studies

Going Public

Citizen______________________

	CRITERIA	0	4	5 6	7 8	MULTIPLIER /SCORE
CONTENT	Δ USE OF FACTS AND RESOURCES	0	☐ Inaccurate information or a lack of facts. ☐ No factual support used for arguments.	5 Δ ☐ Facts used to explain the issue. ☐ Evidence of reliable resources used to reflect information.	☐ Creation of a compelling argument through factual support. ☐ Evidence of information from multiple sources.	X 3 ☐
THINKING	Δ ARGUMENTS AND REASONING	0	☐ No connection among facts, arguments. ☐ No call for action.	5 Δ ☐ Logical flow of arguments. ☐ A call for action connected to argument.	☐ Clear concise presentation of arguments. ☐ Credidable arguments created through evidence.	X 3 ☐
PRODUCT	STYLE AND AUDIENCE	0	☐ No indication of specific audience ☐ Unclear purpose because of errors in format.	☐ Identification of a specific and appropriate audience. Suitable style. ☐ Clear purpose unaffected by minor errors.	☐ Audience is appealed to on their level. ☐ Excellent quality of product.	X 2 ☐
PROCESS	DUE DATES AND PREPARATION SHEETS	0	☐ Many due dates missed. ☐ Misuse of classtime. ☐ Prep sheet not completed.	☐ Missing a due dates. ☐ Good use of classtime. ☐ All parts completed.	☐ All due dates met. ☐ Outstanding use of classtime. ☐ Well prepared prep sheets.	X 1 ☐

8 = A
7 = B
6 = C
5 = D
4 = F

SPECIAL INFORMATION

Criteria marked with an Δ must receive a grade of 5 or better to pass the assesement regardless of your score.

65-72=A
57-64=B
50-56=C
43-49=D
00-42=F

TOTAL ☐

Figure 8.15. Going Public assessment task and rubric.

- *Thinking—various forms of higher level thinking and/or application of concepts.*
- *Product—the quality of the final product, be it written, verbal, or creative.*
- *Process—making due dates, completing the various pieces of the assessment.*

We describe on the rubric, in each of the categories, three levels of performance: unattained (F or 4 out of 8 points for an honest effort), attained (D or C, 5 or 6 out of 8 points), and proficient (B or A, 7 or 8 out of 8 points). Students can then choose which level of performance they wish to work towards. In addition, we often will adapt the criteria with the assistance of the special education teacher to meet the needs as expressed on a student's IEP. Some criteria, usually the content and thinking pieces, are designated as critical and require a score of attained in order to pass the assessment. Students must perform at a certain level to pass rather than simply acquire enough total points to pass. Each of the assessments is designed to be challenging at a variety of levels. All students, ranging from high achievers to mainstreamed *special needs students, can fulfill the same product requirements but with varying degrees of complexity.*

With each unit of study, students are required to express in journal writing their opinions on relevant current problems. From this reflection or from topics discussed in greater detail in class, individuals select a topic for which they have developed a logical and factual-based opinion. They are then to select an appropriate audience and present their supported opinion or argument.

At the beginning of each springboard unit, the instructors introduce the nature of the "Going Public" assessment that will be a focus for the unit. Each time the students are asked by a prompt to write in journals, the teachers again tie into the idea of expressing opinions and offering solutions in a public forum.

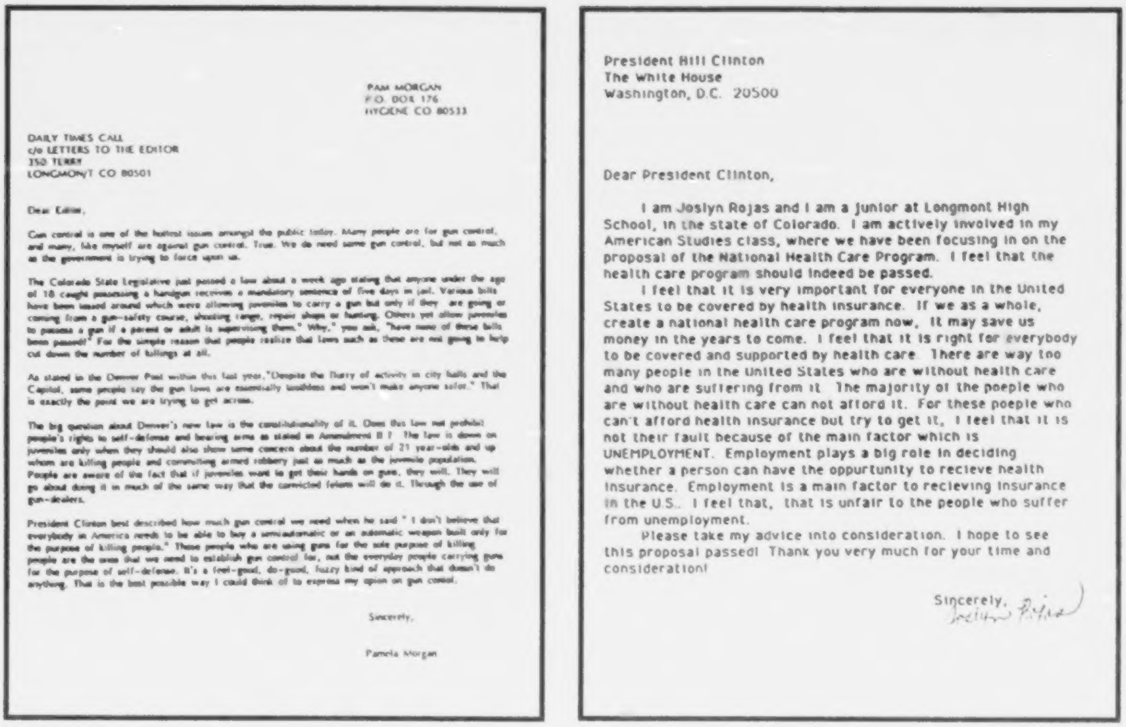
At the completion of the springboard unit, the teachers act as advisors and resources for students as they select issues for public presentation and compile additional facts and data to support their oral or written "Going Public" product.

During the student preparation process, students have mini-conferences with the teachers and other students who act as editors and quality controllers. Teachers encourage students to revise and redo their communications numerous times.

When students submit the communication for evaluation, the teachers use the grading sheet with specific criteria as a tool for measuring the quality and effectiveness of the product. This sheet makes grading more consistent, prescriptive, and meaningful for students while making the evaluative process simpler and quicker for the teachers.

The "Going Public" assessments and American Studies course are works in progress. We firmly believe that the structure and ideas behind the unit and course are examples of sound educational practices even including their first-year warts. "Going Public," its springboard units, and related learning activities represented powerful learning experiences for our students this year.

Receiving a letter from a public figure is an impressive event. A positive result was the mail students received from their selected audiences about their "Going Public" letters. Their voices were heard and responses were sent by a variety of people! Students got responses from President Clinton, our U.S. Senator and Representative, state representatives, and, in a particularly interesting case, a local doctor. One of our students chose to write to his doctor concerning the national health care issue. The doctor took the time to write a single-spaced, two-page explanation of his position on the issue, responding personally to the student's concerns and ideas and offering more food for thought.... Even today, months after the experience, we have individuals running into the room to let us know they received responses.



PAM MORGAN
P.O. BOX 176
HYGIENE CO 80533

DAILY TIMES CALL
c/o LETTERS TO THE EDITOR
350 TERRY
LONGMONT CO 80501

Dear Editor,

Gun control is one of the hottest issues amongst the public today. Many people are for gun control, and many, like myself are against gun control. True. We do need some gun control, but not as much as the government is trying to force upon us.

The Colorado State Legislature just passed a law about a week ago stating that anyone under the age of 18 caught possessing a handgun receives a mandatory sentence of five days in jail. Various bills have been tossed around which were allowing juveniles to carry a gun but only if they are going or coming from a gun-safety course, shooting range, repair shops or hunting. Others yet allow juveniles to possess a gun if a parent or adult is supervising them." Why," you ask, "have none of these bills been passed?" For the simple reason that people realize that laws such as these are not going to help cut down the number of killings at all.

As stated in the Denver Post within this last year,"Despite the flurry of activity in city halls and the Capitol, some people say the gun laws are essentially toothless and won't make anyone safer." That is exactly the point we are trying to get across.

The big question about Denver's new law is the constitutionality of it. Does this law not prohibit people's rights to self-defense and bearing arms as stated in Amendment II? The law is down on juveniles only when they should also show some concern about the number of 21 year-olds and up whom are killing people and committing armed robbery just as much as the juvenile population. People are aware of the fact that if juveniles want to get their hands on guns, they will. They will go about doing it in much of the same way that the convicted felons will do it. Through the use of gun-dealers.

President Clinton best described how much gun control we need when he said " I don't believe that everybody in America needs to be able to buy a semiautomatic or an automatic weapon built only for the purpose of killing people." These people who are using guns for the sole purpose of killing people are the ones that we need to establish gun control for, not the everyday people carrying guns for the purpose of self-defense. It's a feel-good, do-good, fuzzy kind of approach that doesn't do anything. That is the best possible way I could think of to express my opion on gun control.

Sincerely,

Pamela Morgan

President Bill Clinton
The White House
Washington, D.C. 20500

Dear President Clinton,

I am Joslyn Rojas and I am a junior at Longmont High School, in the state of Colorado. I am actively involved in my American Studies class, where we have been focusing in on the proposal of the National Health Care Program. I feel that the health care program should indeed be passed.

I feel that it is very important for everyone in the United States to be covered by health insurance. If we as a whole, create a national health care program now, it may save us money in the years to come. I feel that it is right for everybody to be covered and supported by health care. There are way too many people in the United States who are without health care and who are suffering from it. The majority of the poeple who are without health care can not afford it. For these poeple who can't afford health insurance but try to get it, I feel that it is not their fault because of the main factor which is UNEMPLOYMENT. Employment plays a big role in deciding whether a person can have the oppurtunity to recieve health insurance. Employment is a main factor to recieving insurance in the U.S.. I feel that, that is unfair to the people who suffer from unemployment.

Please take my advice into consideration. I hope to see this proposal passed! Thank you very much for your time and consideration!

Sincerely,
Joslyn Rojas

Figure 8.16. Sample Going Public products.

Kent and Dorotha's letter rubric was presented to project teachers at a writing conference. The teachers there produced several adaptations of the rubric, making changes to suit their own outcomes and instruction. One adaptation is presented in Figure 8.17.

Reflection/Exercise

Examine the rubric in Figure 8.17. What, in your view, are the most important differences between this rubric and the one created by Kent and Dorotha? Which do you prefer? Why? Could you combine aspects that you like from both rubrics?

When you introduce letter writing to your class, show them both rubrics. Which do they prefer? Why?

How did you and your students respond similarly to the two rubrics? Differently? Think about how this exercise might inform your use of other rubrics.

LEVELS OF PERFORMANCE

CRITERIA	NOVICE	MEETS STANDARD	EXCEEDS STANDARD	EXEMPLARY
Substantive understanding of issue	The letter writer does not identify the issue clearly or identifies the issue but provides an inaccurate description of the problem.	The letter writer states the issue clearly and uses accurate information to describe the current problem. The letter writer cites at least one source.	The letter writer states the issue clearly and links it to a specific piece of legislation or other action. The letter writer uses accurate information to describe the current problem and cites at least two sources.	The letter writer states the issue clearly and links it to a specific piece of legislation or other action. The letter writer uses accurate information to describe the current problem and its historical roots. The letter writer cites at least two sources.
Supporting a position on the issue.	The letter writer does not take a position on the issue or takes a position but does not support it.	The letter writer takes a position on the issue and provides at least two reasons to support it.	The letter writer clearly states a position on the issue and provides at least two reasons to support it. Both facts and value statements are used in the reasoning. The letter writer identifies the opposing position and provides at least one counterargument. Calls for the official to take action.	The letter writer clearly states a position and provides a compelling argument supporting it. The argument combines facts, value statement, and anecdotal evidence into a coherent whole. The letter writer identifies the opposing position and provides well-reasoned counterarguments. Calls for the official to take action.
Effective presentation	The letter writer does not identify him/herself or provides only basic information (name and age). The letter is rude or inappropriately casual. The letter is addressed to an official not directly involved with the issue being discussed. The letter contains numerous errors (mechanics, grammar, usage, spelling) that make it difficult to understand.	The letter writer identifies him/herself. The letter is polite. It is addressed to an official directly involved with the issue being discussed. The letter contains some errors that do not impede understanding.	The letter writer identifies him/herself and makes a connection with the official addressed, who is directly involved with the issue being discussed. The letter is cordial and contains only one or two minor errors that do not impede understanding.	The letter writer identifies him/herself and makes a connection with the official addressed, who is directly involved with the issue being discussed. The letter is cordial and contains no errors in mechanics, grammar, usage, and spelling.

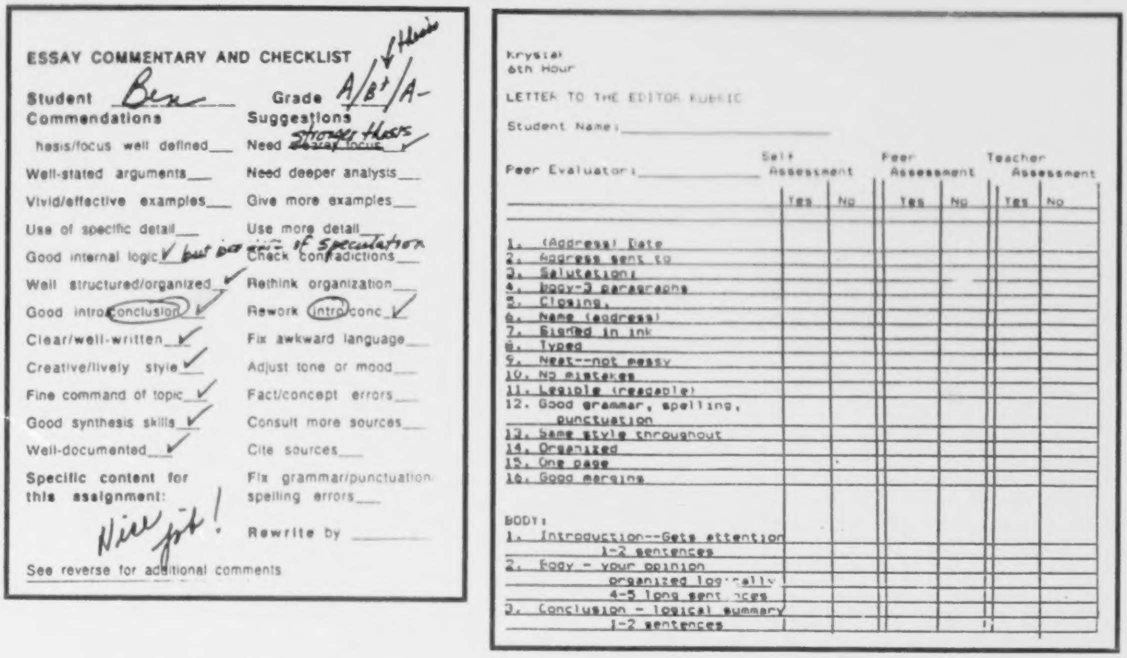
Figure 8.17. Rubric for letter to a public official.

Some Possible Pitfalls in Using Writing Assessments

According to Greg Clevenger, a major pitfall is the time required to read and score essays: "Scoring a student performance on an essay as long as this one is a laborious task. One must burn the midnight oil." One way of addressing this problem may be to use a simpler checklist for assessing some assignments. Students still get the multiple opportunities to practice writing that they need, but scoring will take less time. Examples of checklists are provided in Figure 8.18.

Another possibility is to stagger the due dates of students' work, so that you do not have to read and mark all the papers at the same time. While this strategy will not reduce your overall time commitment, it will spread the time out over a longer period and thus, perhaps, make the task more manageable. If the writing assignment is one that requires students to do library research, this strategy can also reduce the competition for library resources, another possible pitfall of using writing as an assessment in civic education.

As with all tasks that require large amounts of teacher time, you must balance the costs and the benefits. Note that while Greg did men-



ESSAY COMMENTARY AND CHECKLIST

Student Ben **Grade** A/B+/A- ↓thesis

Commendations	**Suggestions**
hesis/focus well defined___	Need ~~clearer focus~~ stronger thesis ✓
Well-stated arguments___	Need deeper analysis___
Vivid/effective examples___	Give more examples___
Use of specific detail___	Use more detail___
Good internal logic ✓ but [illegible] of speculation	Check contradictions___
Well structured/organized ✓	Rethink organization___
Good intro/[✓ conclusion] ✓	Rework [✓ intro]/conc ✓
Clear/well-written ✓	Fix awkward language___
Creative/lively style ✓	Adjust tone or mood___
Fine command of topic ✓	Fact/concept errors___
Good synthesis skills ✓	Consult more sources___
Well-documented ✓	Cite sources___
Specific content for this assignment:	Fix grammar/punctuation spelling errors___
Nice job!	Rewrite by ______

See reverse for additional comments

Krystal
6th Hour

LETTER TO THE EDITOR RUBRIC

Student Name: ______________________

Peer Evaluator: ______________

	Self Assessment		Peer Assessment		Teacher Assessment	
	Yes	No	Yes	No	Yes	No
1. (Address) Date						
2. Address sent to						
3. Salutation:						
4. Body-3 paragraphs						
5. Closing,						
6. Name (address)						
7. Signed in ink						
8. Typed						
9. Neat--not messy						
10. No mistakes						
11. Legible (readable)						
12. Good grammar, spelling, punctuation						
13. Same style throughout						
14. Organized						
15. One page						
16. Good margins						
BODY:						
1. Introduction--Gets attention						
1-2 sentences						
2. Body - your opinion						
organized logically						
4-5 long sentences						
3. Conclusion - logical summary						
1-2 sentences						

Figure 8.18. Sample checklists.

tion the time problem, he concluded by saying: "The end result is one to be proud of."

Our observations indicate that some teachers find it hard to stick with the criteria/rubric. When a person has been scoring essays one way for a number of years, it's hard to change. We noted that teachers often provide feedback unrelated to any of the criteria and mark/weight things in ways that don't seem related to the rubric. This pitfall may simply represent the same phenomenon teachers observe the first time students try a particular performance—practice is needed in order for students to perform well. The holistic nature of the essay scoring guides may be a factor contributing to this problem.

When teachers are first using a rubric to score student writing, they may find it helpful to score each trait or characteristic separately. This will require them to look specifically at each area—thoroughness, documentation, etc.—as they score the papers, thus increasing the likelihood of providing feedback that will help students improve performance. Some teachers may also find it helpful to use a strategy employed by the College Board when preparing scoring guidelines for their readers. For readers of document-based questions, for example, they provide not only scoring criteria and sample essays, annotated to explain their scores, but a list of relevant factual information and annotations on each document available to students. While teachers undoubtedly have an informal "list" of the relevant legal/constitutional issues they want students to mention in their heads, they may find that actually listing this information helps them use the rubric more constructively.

Another problem we noted in observing teachers' use of the rubrics is that because the use of rubrics is relatively new to them, they tend to attribute problems with student performance to the rubric. It is important for teachers to remember that, as with all evaluations, the results can also be indicative of problems with instruction. For example, while one teacher attributed students' lack of specific arguments about the Fourteenth Amendment to lack of specificity in the rubric, it may have been due to insufficient understanding of the Fourteenth Amendment and/or lack of knowledge about how to find relevant information about the amendment.

The Arizona State Department of Education Assessment Unit has developed a guide to help teachers in that state use the reading and writing assessments. In the guide, a number of pieces of writing are presented, with scores, annotations related to the scores, and suggestions for instructional strategies to assist students in improving their performance. The annotations identify the reasons for the particular score given and the suggestions provide ideas for addressing any problems noted. For example, a paper that received a score of 2 (on a four-point rubric) was annotated in the following fashion

Annotation: There is some, but limited, evidence of understanding the reading selection. The student statements are somewhat related to the topic...but the student was unable to support the topic with clear examples...The statements are unfocused...Few elements of the question are addressed.

Instructional Strategies to Consider: Teacher modeling of verbal thinking and paraphrasing would help this student. Student-teacher dialogue would also be helpful: e.g., "What do you know?" "What do you need to know?...Additional help should be given in analyzing questions as part of the process of responding to them.

Using a process similar to this could be helpful to individual teachers and their students. The annotations would be helpful to the students in understanding their score; in addition, the annotations could be scanned to see if similar problems are occurring in the work of a number of students, suggesting that reteaching or presentation of material in a different manner may be necessary. In addition, by noting ideas for addressing problems through instruction, the teacher can develop specific strategies for helping individual students improve their performance.

Reflection/Exercise

Analyze a writing assessment you have given students. Are there any patterns in your feedback that suggest the need to reteach an important concept or skill? Can you identify specific ways to help individual students improve their performance?

Chapter 9: Assessing Student-Created Products or Projects

What is a student-created product or project? The types of assignments that fall into this category are highly varied, including videos, brochures, posters, bulletin board displays, timelines, political cartoons, campaign strategies and materials, songs or raps, museum displays, public opinion polls, and the like. The products may include writing, but also present student thinking through visuals, realia, or music.

Creation of some products represents authentic work because many students will, as adults, be expected to communicate ideas through such products, either in the course of their work or as citizens. For example, as a member of a special-interest group, the student might be called upon to create a brochure, poster, or video advocating a position on an issue. In addition, students will receive a great deal of information through such sources and should therefore be prepared to be savvy consumers of videos, political cartoons, and other forms of communication that combine words and images.

Creating other kinds of products is authentic work because creation of the product requires students to use information in the way that scholars in the discipline use it. For example, in creating a historical museum display, students must think like historians and/or anthropologists. In conducting a poll and analyzing its results, students must think like sociologists or demographers.

In most, if not all, cases, products can reach an audience beyond the classroom—whether by inviting other classes or parents to view the products, submitting products to journals or newspapers for possible publication, or through final presentations to government bodies. The presence of a "real-life" audience is an important element of authenticity.

In addition, the product or project assignment offers students who work better in media other than writing to perform better. Most traditional assessments do not take such variances in student ability into account. Thus, a product-based assessment can provide for more equity in the assessment process.

Indeed, many social studies educators have assigned projects or products, but the products have often not been assessed or have been assessed using very loosely defined criteria. For the teachers in our project who have tried it, the process of developing more explicit criteria for evaluating products has not been an easy one. The process has often revealed that teachers themselves did not have a clear idea of how complex thinking might be revealed in the products assigned; in addition, they often realized that they provided very little or no instruction in the skills needed to create the product.

In this chapter, we describe several teachers' experiences with various kinds of student-created products or projects, including posters, political cartoons, museum exhibits, and multimedia presentations. The chapter ends with a discussion of some pitfalls in using product-based assessments.

Posters

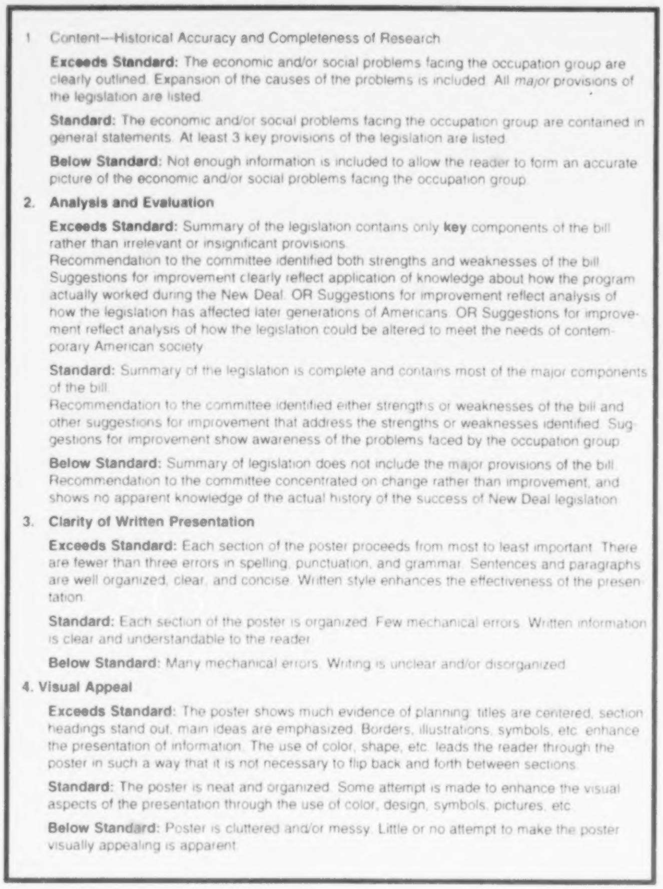
Jackie Johnson, whose poster lesson and rubric were described in Chapter 3, has developed and used a wide range of poster assignments. Project director Barbara Miller has presented these assignments at several teacher-training workshops. Barb displayed student posters and asked participants to score the posters using the rubrics. Teachers then worked in small groups to compare and discuss their scores. Following this small-group work, the entire group discussed the experience and how they might adapt the rubric and assignment to meet their own instructional goals.

Following a workshop in Colorado, three teachers decided to pilot poster assessments in their classes. Two of the teachers assigned posters related to the Bill of Rights and used Jackie's rubric with minor adjustments. One teacher's students worked in groups, with each group focusing on a particular amendment. While the posters were visually attractive, the content/thinking aspects were not well presented. The second teacher, whose assignment was similar, made a telling observation about the work his students produced. "I was happy with the results," he said, "for a first attempt."

The third Colorado teacher, Kathy Ratte of Chatfield High School, was also dissatisfied with her first attempt to use a poster, but took much of the responsibility herself. Before assigning the second poster, she carefully reworked her instructions and the rubric (see Figure 9.1 for her adaptation of the rubric). The second poster assignment, which asked students to create posters on individual pieces of New Deal legislation, produced more satisfactory results. Kathy attributed the greater success to students having a better understanding of her expectations.

After a project writing conference, Katie Schultz, a teacher at Frontier Junior High in Graham, Washington, decided to use another of Jackie's poster assessments. This assessment, which combines a poster with a five-paragraph essay, is used to assess students' understanding of the Constitutional Convention, as well as their ability to draw analogies, in this case with Mary Shelley's *Frankenstein*, which they were reading in

© SSEC



1 Content—Historical Accuracy and Completeness of Research

Exceeds Standard: The economic and/or social problems facing the occupation group are clearly outlined. Expansion of the causes of the problems is included. All *major* provisions of the legislation are listed.

Standard: The economic and/or social problems facing the occupation group are contained in general statements. At least 3 key provisions of the legislation are listed.

Below Standard: Not enough information is included to allow the reader to form an accurate picture of the economic and/or social problems facing the occupation group.

2. Analysis and Evaluation

Exceeds Standard: Summary of the legislation contains only **key** components of the bill rather than irrelevant or insignificant provisions.
Recommendation to the committee identified both strengths and weaknesses of the bill.
Suggestions for improvement clearly reflect application of knowledge about how the program actually worked during the New Deal. OR Suggestions for improvement reflect analysis of how the legislation has affected later generations of Americans. OR Suggestions for improvement reflect analysis of how the legislation could be altered to meet the needs of contemporary American society.

Standard: Summary of the legislation is complete and contains most of the major components of the bill.
Recommendation to the committee identified either strengths or weaknesses of the bill and other suggestions for improvement that address the strengths or weaknesses identified. Suggestions for improvement show awareness of the problems faced by the occupation group.

Below Standard: Summary of legislation does not include the major provisions of the bill.
Recommendation to the committee concentrated on change rather than improvement, and shows no apparent knowledge of the actual history of the success of New Deal legislation.

3. Clarity of Written Presentation

Exceeds Standard: Each section of the poster proceeds from most to least important. There are fewer than three errors in spelling, punctuation, and grammar. Sentences and paragraphs are well organized, clear, and concise. Written style enhances the effectiveness of the presentation.

Standard: Each section of the poster is organized. Few mechanical errors. Written information is clear and understandable to the reader.

Below Standard: Many mechanical errors. Writing is unclear and/or disorganized.

4. Visual Appeal

Exceeds Standard: The poster shows much evidence of planning: titles are centered, section headings stand out, main ideas are emphasized. Borders, illustrations, symbols, etc. enhance the presentation of information. The use of color, shape, etc. leads the reader through the poster in such a way that it is not necessary to flip back and forth between sections.

Standard: The poster is neat and organized. Some attempt is made to enhance the visual aspects of the presentation through the use of color, design, symbols, pictures, etc.

Below Standard: Poster is cluttered and/or messy. Little or no attempt to make the poster visually appealing is apparent.

Figure 9.1. Poster rubric adapted for use with New Deal assignment.

English. Katie's students, who were all in the honors program at Frontier, were not comfortable with the poster assessment because they had never been asked to express their understanding visually. When one student who was artistically talented brought in her outstanding poster early, this further discouraged other students. While students did well on the written assessment, their performance on the poster was below their usual level.

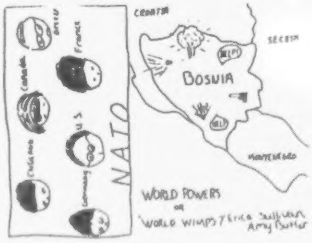
Katie felt that without more work on visual presentation of ideas, the poster assessment was not fair for students who are not artistically talented. Furthermore, when she thought about the time required to introduce students to the skills involved in conveying ideas visually, she had to think hard about whether that was an important outcome for her, reinforcing the importance of linking outcomes and assessments.

The experiences of these teachers reinforce the idea that students (and perhaps teachers as well) need practice with a particular strategy before that type of product is used as an assessment. Thus, one or more instructional activities in which students create posters and receive extensive feedback and coaching from the teacher would be important precursors to a poster assessment. Teachers may also find it useful to begin with a more structured assignment, such as the one shown in Figure 9.2, before giving a more open-ended poster assignment.

The first time that John Zola, a teacher at New Vista High School, assigned a poster assessment, he prepared a poster himself to use as a model when explaining his expectations. Unfortunately, however, all of the student products tended to follow his model very closely. As an alternative, some teachers have used real-life exemplars—that is, advertising or informative posters they have collected. While such examplars have the advantage of authenticity, they have the disadvantage of not reflecting the content of the assignment. Of course, when an assignment has been used once or twice, student work from previous years can be used to provide a range of models. Most project teachers agree that student work at various performance levels, sometimes combined with real-life exemplars, provide the best models of what the expectations set forth in the rubric really mean.

Political Cartoons

Creation of political cartoons is a popular assignment with social studies teachers because creating such cartoons requires students to sift through a great deal of information, select an issue on which to create their cartoon, and visually convey their position through symbols and words.



Kent Willmann uses a political cartoon activity as the assessment for a unit on American involvement in international affairs (Figure 9.3). Kent's initial rubric for the activity included five criteria: position, current events information, symbolism, creativity, and meeting due dates/completing preparation sheets. The preparation sheet provides Kent with an opportunity to provide feedback to students on the positions they were taking, the information to be included in the cartoon, and the symbols to be used.

When Kent presented the assignment and student work at a project study group, his colleagues pointed out two issues related to the student work. First, some of the students were not using symbols at all; instead, they were simply drawing pictures of events or people involved in the Bosnian crisis. Thus, some introductory work on what symbolism is and how it is used in cartoons seemed in order. Second, the cartoons did not allow Kent to assess an aspect of students' learning that was very important to him—whether they understood both sides of an issue and could provide support for both positions.

UNITED STATES GOVERNMENT
DEPARTMENT OF STATE
BEHIND THE HEADLINES, BENEATH THE ICEBERG

Assistants to the Secretary: Period: __________

______________________ Desk

______________________ _____

______________________ _____

Behind the Headlines: _______________

1. **Group Research:** Each person is responsible for developing answers for one of the questions listed below. You must use current resources and prepare a correct bibliography (four current sources required).

   (1) What makes this nation a "trouble spot"? What in their history and in their society had led to this current conflict? Researcher: _______________

   (2) Is the U.S. involved in this "trouble spot"? Why are we involved? How are we involved? Researcher: __________________

   (3) Who are the rulers? How did they get their power? What limits (if any) are there on this person's power? Researcher: _______________

   (4) What do the people in this place have in common? What divides them? Researcher: _______________

2. **Group Report:** Two people will be responsible for developing a rough draft report. The rough draft should begin with an introductory paragraph that identifies the nation and the questions that will be answered in your report. The following four paragraphs will provide answers to the four questions given above. The other two group members will prepare rough draft "graphics" to accompany the report (maps, iceberg) and begin preparation of the poster which will display your project.

   Rough Draft: __________________

   Graphics: _____________________

3. **Final Questions:** Do this as a small group. After researching this "trouble spot,"what questions do you now have about his conflict and our involvement with this nation? Develop 3-4 good questions. Before we consider any U.S. action, answers to these questions need to be carefully considered. Close your report with these questions. (*NOTE: For a follow-up writing assignment, you will look at 3-4 more recent clippings or articles about this "trouble spot" and try to answer these questions.*)

4. **Final Project:** Follow directions given in the sample provided. Group members should critique one another's work, making sure that the final project represents your group's very best work. See the attached rubric for information on the grading procedure.

Written report, including bibliography: ___

   Graphics: _____________________

   Letters, borders: ________________

   Proofing your work: ______________

5. **Due Date:** _______________

BEHIND THE HEADLINES, BENEATH THE ICEBERG
DEBRIEFING

With all of our problems at home, why do we care enough to involve the U.S. in disputes in other parts of the world, especially when it is clear that many of the other nations (and many American citizens) would prefer we not stick our noses in their affairs?

Here's why: The world is interdependent and we need a stable world. Americans often disagree about our foreign policies—which we are free to do. We've learned about some of the reasons for the concern Americans have about these conflicts occurring in other parts of the world today. From what you have learned about the nation your group researched and the nations reported on by other groups, make a list of all the reasons you can think of that might involve us in the affairs of these nations.

1.
2.
3.
4.
5.
6.
7.
8.
9.
10.

Foreign Policy Options: Think of all the options (possible actions) you think we have in our relationships with the nations you have studied.

1.
2.
3.
4.
5.

My Influence: Now think of the ways in which you—a private citizen—can influence our government's foreign policy.

First Amendment Rights:

Update Assignment: Due___________

For the next three weeks, you are to continue "tracking" your nation. You must obtain at least 3 clippings, political cartoons, or articles about your nation. You may also include TV newscasts. Make sure you include the date for each "update."

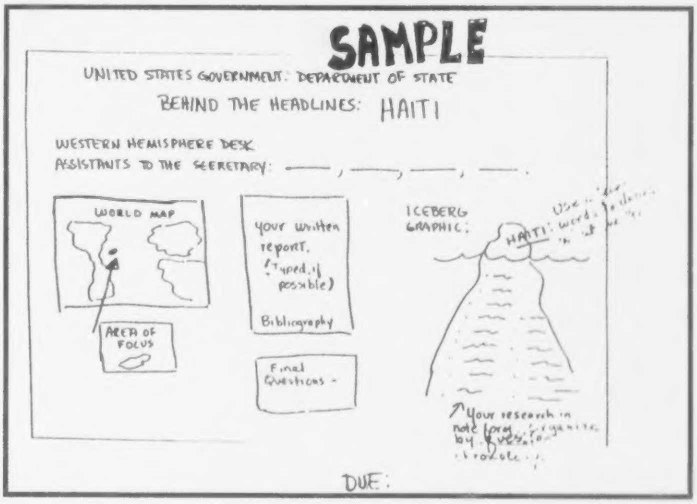
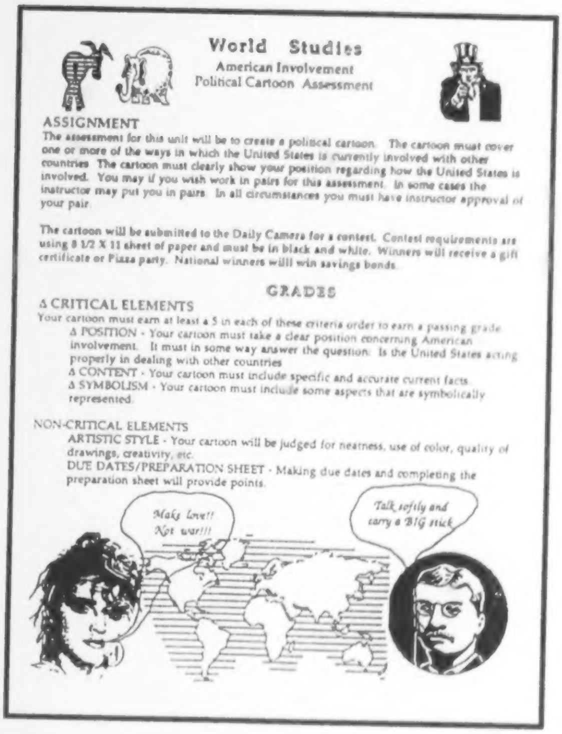

SAMPLE
UNITED STATES GOVERNMENT: DEPARTMENT OF STATE
BEHIND THE HEADLINES: HAITI
WESTERN HEMISPHERE DESK
ASSISTANTS TO THE SECRETARY: ___, ___, ___, ___.
WORLD MAP
AREA OF FOCUS
your written report. (typed, if possible)
Bibliography
Final Questions -
ICEBERG GRAPHIC:
HAITI
Your research in note form
DUE:

Figure 9.2. Example of a structured poster assignment.



World Studies

American Involvement
Political Cartoon Assessment

ASSIGNMENT

The assessment for this unit will be to create a political cartoon. The cartoon must cover one or more of the ways in which the United States is currently involved with other countries The cartoon must clearly show your position regarding how the United States is involved. You may if you wish work in pairs for this assessment. In some cases the instructor may put you in pairs In all circumstances you must have instructor approval of your pair.

The cartoon will be submitted to the Daily Camera for a contest. Contest requirements are using 8 1/2 X 11 sheet of paper and must be in black and white. Winners will receive a gift certificate or Pizza party. National winners willl win savings bonds.

GRADES

Δ CRITICAL ELEMENTS

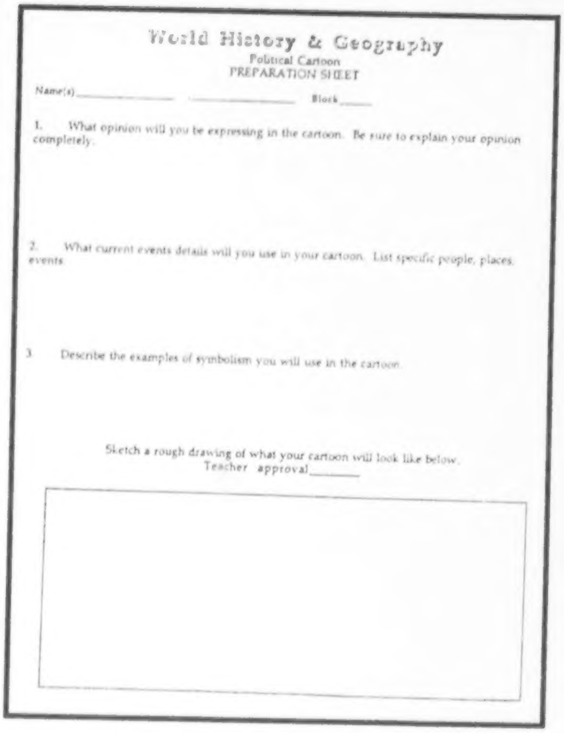
Your cartoon must earn at least a 5 in each of these criteria order to earn a passing grade.

- Δ POSITION - Your cartoon must take a clear position concerning American involvement. It must in some way answer the question: Is the United States acting properly in dealing with other countries
- Δ CONTENT - Your cartoon must include specific and accurate current facts.
- Δ SYMBOLISM - Your cartoon must include some aspects that are symbolically represented.

NON-CRITICAL ELEMENTS

- ARTISTIC STYLE - Your cartoon will be judged for neatness, use of color, quality of drawings, creativity, etc.
- DUE DATES/PREPARATION SHEET - Making due dates and completing the preparation sheet will provide points.

Make love!! Not war!!!
Talk softly and carry a BIG stick



World History & Geography

Political Cartoon
PREPARATION SHEET

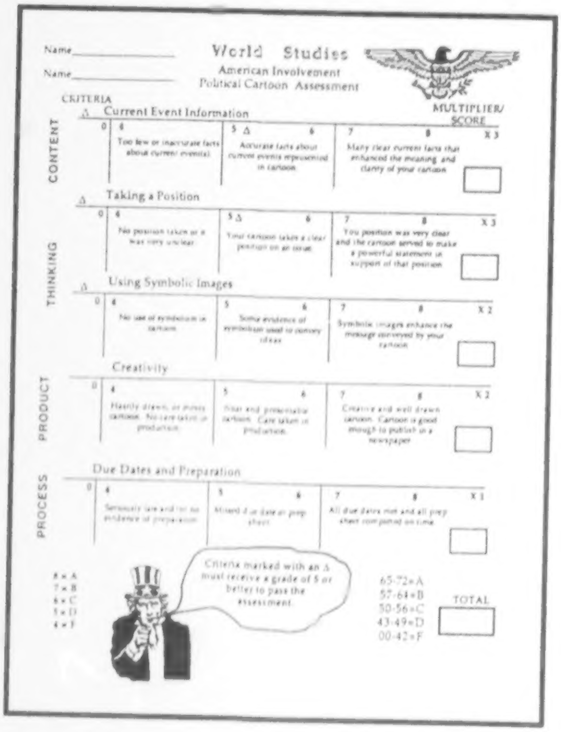
Name(s)_______________ _______________ Block_____

1. What opinion will you be expressing in the cartoon. Be sure to explain your opinion completely.

2. What current events details will you use in your cartoon. List specific people, places, events.

3. Describe the examples of symbolism you will use in the cartoon.

Sketch a rough drawing of what your cartoon will look like below.
Teacher approval________



Name_______________
Name_______________

World Studies

American Involvement
Political Cartoon Assessment

	CRITERIA	0	4	5 6	7 8	MULTIPLIER/ SCORE
CONTENT	Δ Current Event Information	0	4 Too few or inaccurate facts about current event(s)	5 Δ 6 Accurate facts about current events represented in cartoon	7 8 Many clear current facts that enhanced the meaning and clarity of your cartoon	X 3 ☐
THINKING	Δ Taking a Position	0	4 No position taken or it was very unclear	5 Δ 6 Your cartoon takes a clear position on an issue	7 8 You position was very clear and the cartoon served to make a powerful statement in support of that position	X 3 ☐
	Δ Using Symbolic Images	0	4 No use of symbolism in cartoon	5 6 Some evidence of symbolism used to convey ideas	7 8 Symbolic images enhance the message conveyed by your cartoon	X 2 ☐
PRODUCT	Creativity	0	4 Hastily drawn, or messy cartoon. No care taken in production.	5 6 Neat and presentable cartoon. Care taken in production.	7 8 Creative and well drawn cartoon. Cartoon is good enough to publish in a newspaper	X 2 ☐
PROCESS	Due Dates and Preparation	0	4 Seriously late and/or no evidence of preparation	5 6 Missed due date or prep sheet	7 8 All due dates met and all prep sheet completed on time	X 1 ☐

8 = A
7 = B
6 = C
5 = D
4 = F

Criteria marked with an Δ must receive a grade of 5 or better to pass the assessment.

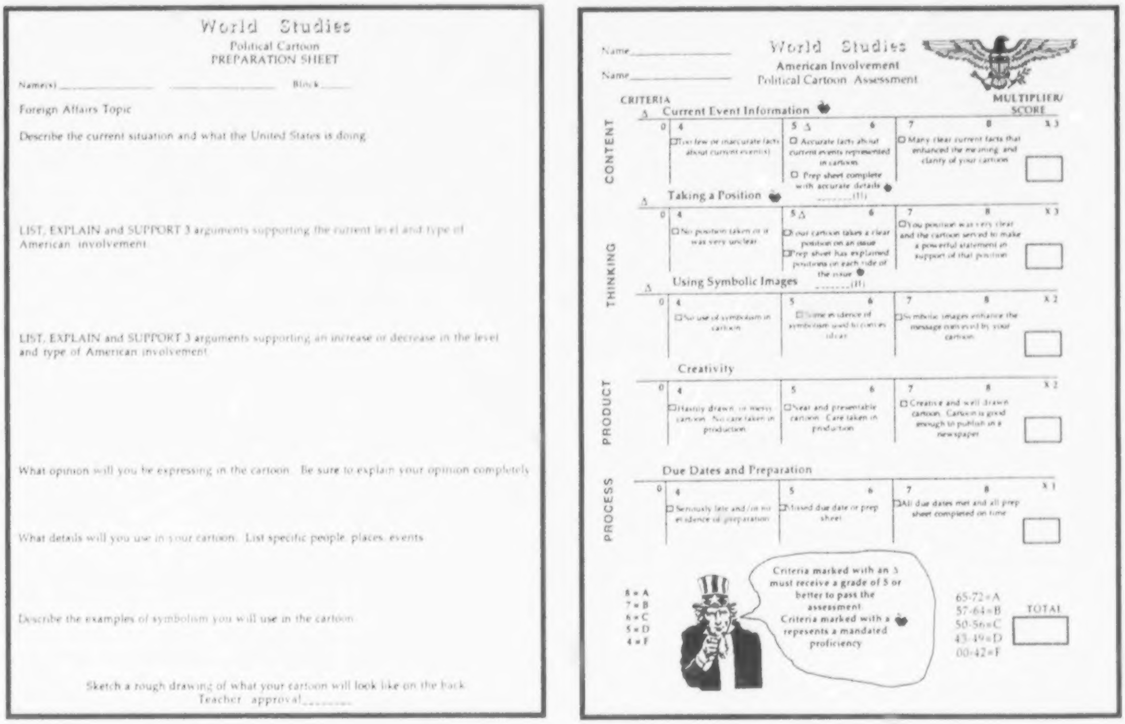
65-72=A
57-64=B
50-56=C
43-49=D
00-42=F

TOTAL ☐

Figure 9.3. Original cartoon assignment and rubric.

In response to the study group's ideas, Kent recognized the need to provide more instruction on symbolism and more feedback regarding the use of symbols when students handed in their preparation sheets. One of the techniques study group members suggested for developing students' understanding of how symbolism is used in political cartoons was to have students analyze published political cartoons. By learning the skills of analyzing cartoons—for example, explaining the caption, describing the use of stereotypes, understanding symbols and historical references, judging bias—students become more aware of the techniques they can use in creating cartoons.

Kent also revised the preparation sheet to allow students to show their understanding of the issue and opposing positions through writing; he also revised the rubric to include completion of the preparation sheet as a way to show understanding of the issue, rather than just as a check on progress. The revised rubric and preparation sheet are provided in Figure 9.4.



World Studies
Political Cartoon
PREPARATION SHEET

Name(s) ______________ ______________ Block _____

Foreign Affairs Topic

Describe the current situation and what the United States is doing

LIST, EXPLAIN and SUPPORT 3 arguments supporting the current level and type of American involvement

LIST, EXPLAIN and SUPPORT 3 arguments supporting an increase or decrease in the level and type of American involvement

What opinion will you be expressing in the cartoon. Be sure to explain your opinion completely

What details will you use in your cartoon. List specific people, places, events

Describe the examples of symbolism you will use in the cartoon

Sketch a rough drawing of what your cartoon will look like on the back
Teacher approval_______

Name______________
Name______________

World Studies
American Involvement
Political Cartoon Assessment

	CRITERIA	0	4	5 6	7 8	MULTIPLIER/ SCORE
CONTENT	Δ Current Event Information 🍎	0	☐ Too few or inaccurate facts about current event(s)	5 Δ 6 ☐ Accurate facts about current events represented in cartoon ☐ Prep sheet complete with accurate details 🍎 ______(1)	☐ Many clear current facts that enhanced the meaning and clarity of your cartoon	X 3 ☐
THINKING	Δ Taking a Position 🍎	0	☐ No position taken or it was very unclear	5 Δ 6 ☐ Your cartoon takes a clear position on an issue ☐ Prep sheet has explained positions on each side of the issue 🍎 ______(1)	☐ You position was very clear and the cartoon served to make a powerful statement in support of that position	X 3 ☐
	Δ Using Symbolic Images	0	☐ No use of symbolism in cartoon	☐ Some evidence of symbolism used to convey ideas	☐ Symbolic images enhance the message conveyed by your cartoon	X 2 ☐
PRODUCT	Creativity	0	☐ Hastily drawn or messy cartoon. No care taken in production	☐ Neat and presentable cartoon. Care taken in production	☐ Creative and well drawn cartoon. Cartoon is good enough to publish in a newspaper	X 2 ☐
PROCESS	Due Dates and Preparation	0	☐ Seriously late and/or no evidence of preparation	☐ Missed due date or prep sheet	☐ All due dates met and all prep sheet completed on time	X 1 ☐

8 = A
7 = B
6 = C
5 = D
4 = F

Criteria marked with an Δ must receive a grade of 5 or better to pass the assessment.
Criteria marked with a 🍎 represents a mandated proficiency

65-72 = A
57-64 = B
50-56 = C
43-49 = D
00-42 = F

TOTAL ☐

Figure 9.4. Revised cartoon preparation sheet and rubric.

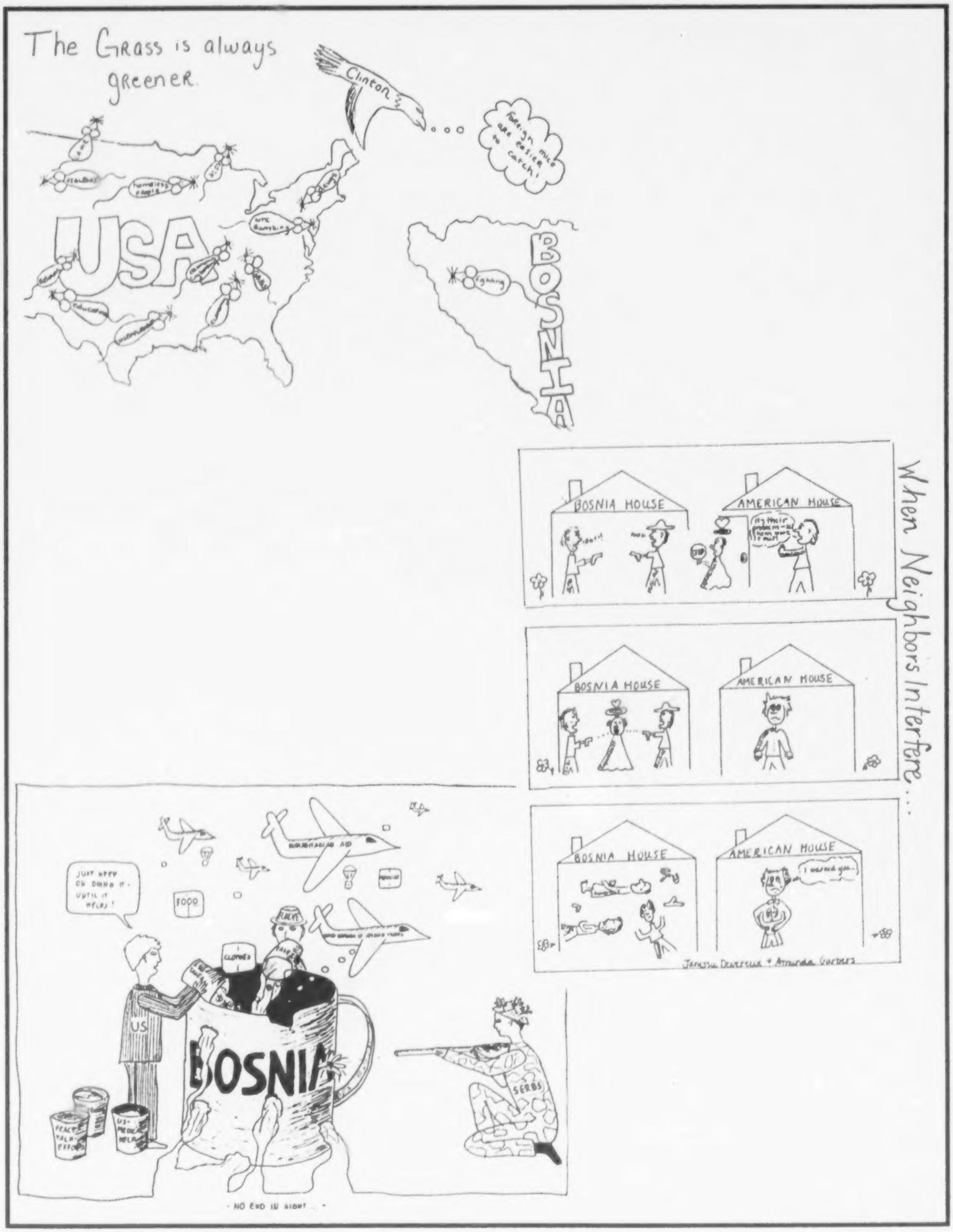

The Grass is always greener.
Clinton
Foreign mice are easier to catch!
homeless people
WTC Bombing
USA
fighting
BOSNIA
When Neighbors Interfere...
BOSNIA HOUSE
AMERICAN HOUSE
BOSNIA HOUSE
AMERICAN HOUSE
BOSNIA HOUSE
AMERICAN HOUSE
I warned you...
Jenessa Devereux + Amanda Garbers
JUST KEEP ON DOING IT - UNTIL IT HELPS!
FOOD
CLOTHES
HUMANITARIAN AID
US
BOSNIA
PEACE TALK EFFORTS
US MEDICAL HELP
SERBS
- NO END IN SIGHT... -

Figure 9.5. Sample student-created cartoons on U.S. involvement in Bosnia.

Reflection/Exercise

Imagine that your students produced the cartoons presented in Figure 9.5. You want to use the cartoons to reflect on your instruction and on the assessment task. Use the cartoons to answer the following questions.

- Were the students able to take a position on the central question? Do their positions reflect some understanding of both sides of the issue?
- Were students able to demonstrate content understanding through the cartoons?
- Did the students use symbolism appropriately?
- Are the cartoons of appropriate artistic quality?
- What did students do well?

Based on your analysis, what areas of instruction might be improved? How might the assessment be improved or supplemented to address any problems you found?

Museum Displays

Think back to the last time you visited a natural history, science, or children's museum. Pick a display you especially admired or enjoyed. What kinds of knowledge did the creators of that display need in order to make it successful in attracting your attention and educating you? What decisions did the creators have to make in designing the display? What type of thinking was required to make those decisions?

The process of analyzing a museum display that you enjoyed should make clear to you why many social studies teachers find creating a museum display an attractive task. Producing an effective display requires students to have depth of knowledge, to synthesize information, to identify important issues and topics and determine how best to convey information about them, to think creatively about ways to engage the viewer in the display, and to use design skills in creating the physical display.

As with other product-based assessments, successful museum activities require instruction on the skills required to create a display, as well as extensive coaching and feedback—and a well-planned task, of course.

One example of a display created by students is found in Project Citizen, sponsored by the Center for Civic Education. For this project, students work in teams to assemble displays that reflect their understanding of public policy issues. The displays are presented in a competition and are scored by a group of independent raters. Each section of the display is scored using seven criteria:

- Completeness.
- Clarity.
- Information.
- Support for position taken.
- Graphics.
- Documentation.
- Constitutionality of proposed solution.

The overall display is scored on the basis of the following criteria:

- Persuasiveness of the arguments and evidence supporting the proposed policy solution.
- Practicality of the proposed solution.
- Coordination of the parts of the display.
- Evidence that team members have reflected upon and evaluated their own work.

As these lists indicate, the Project Citizen displays, perhaps because fine distinctions between levels of performance must be made in judging the competition, are evaluated on many criteria. In their initial attempts to develop a rubric for a museum display project, John Zola, a teacher in Boulder, Colorado, and his student teacher, Brevin Bourassa, also included a rather lengthy list of criteria. For this project, John and Brevin asked students to select a subject related to kids' rights or the criminal justice system. Students were to research the topic, primarily outside of class; other activities related to the rights of young people were done in class and could be drawn on in creating the project. The museum exhibit was to combine visual and print elements to clearly and effectively inform the reader about the topic chosen. The displays were to both explain the issue and advocate a position on the issue. Detailed project guidelines and evaluation criteria were provided to students when the project was introduced (Figure 9.6).

Although John and Brevin were moderately pleased with the work students produced, when John presented the assignment to a project study group, his colleagues pointed out that the content he wanted students to learn was not well described and that students could get a good grade on the project without understanding their topic in great depth. Some members of the study group suggested not evaluating so many visual and mechanical aspects of the projects, instead placing greater emphasis on content. After reflecting on exactly what their con-

© SSEC

KID'S RIGHTS INDEPENDENT RESEARCH PROJECT

Fall 1995, Zola and Bourassa
Project Guidelines

OVERVIEW:

For this project, you will need to identify a narrow subject of interest related to kid's rights or the criminal justice system. You can choose one of the topics suggested on the list handed out in class, or you can come up with your own topic to be approved by Brevin or John. Ultimately, the best topic for your project will be the one of the greatest interest to you. You will be given some class time to do research at the local libraries as well as time to work on putting your project together. We will also be spending some of the days during the course of the project doing other activities related to kid's rights. Class time spent working on the projects, therefore, will be limited and should be used efficiently. **This project will require a significant amount of work outside of class in order to complete it on time and with the necessary degree of quality to earn a passing grade.**

The idea for this project is that you will create a visual representation of your research--a sort of small museum exhibit, if you will. You will be creating a three-dimensional display that combines visual and printed elements which clearly and effectively informs the reader about your topic. The guidelines for this project are purposely narrow in some areas and relatively broad in others. They are intended to ensure that you are challenged to design highly informative projects and to allow for a variety of creative methods of presenting what you learned. **It is imperative for you to succeed on this project that you pay careful attention to the project guidelines and grading criteria that follow.**

PROJECT GUIDELINES:

Size
- Try and keep your displays no larger than about four feet wide, three feet deep, and six feet high (there's no need nor space in the classroom for anything bigger!).
- The size of your text and visuals is crucial to the effectiveness of your display. Keep in mind that someone should be able to stand away from your display and read and understand it without having to strain to see everything.

Visuals
- Visuals such as pictures, diagrams, tables, graphs, pie charts, timelines, and other informative illustrations should be used throughout the project to present and/or enhance important information on the topic.
- Those visuals that do not have words within them that explain their significance to the topic should be accompanied by a written description/explanation.
- **This can and should be the most effective aspect of your poster; don' t underestimate the importance and value of visuals for this project.**

Text
- This is a serious project and it should reflect a considerable amount of research and synthesis of information. We are certainly concerned with quality more than quantity, but it seems that somewhere in the neighborhood of 1,000 to 1,500 words, including those related to visuals, would be necessary for a project of this nature.
- Your project must have an **explanation as well as an advocacy** component to it. For example, if your topic was the parole system you would first *objectively* explain in detail how the system works, then you would advocate something concerning the system. You could advocate changing the system to make it harder for prisoners to get paroled. You might advocate getting rid of the system altogther. This is up to you, but you must be able to support what you say with facts from your explanatory section. About two-thirds of your project should focus on the objective explanation aspect of your topic.

Organization
- This is undoubtedly the most crucial element in designing a project that will make sense to a reader unfamiliar with your topic. A good project title, clear divisions and sections of information, colors, clear and meaningful subtitles, appropriate print size, and a logical and efficient layout of the information are important factors to keep in mind.

Bibliography
- As with any research project, you need to keep track of every source you use and turn in a complete bibliography. The format of the bibliography is up to you as long as someone could easily find that source themselves, simply from the information you cite.

RESEARCH PROJECT EVALUATION CRITERIA

A
- **An exemplary project includes all of the elements listed below, but** does so in a manner that illustrates greater care and attention to detail AND a significantly deeper level of analysis of the material.

B
Project includes ALL of the following items:
- Project has both an explanation and an advocacy component to it and both are given an appropriate amount of attention.
- Information presented is accurate and logical (it makes sense to a reader who is unfamiliar with the topic).
- Project reflects a sufficient amount of text to thoroughly address the topic.
- Project sufficiently and effectively uses visuals to improve its quality and informativeness.
- Project is neat, clearly organized with clear divisions and subtitles, easily readable, in color, and within size specifications.
- Grammar and mechanics are accurate and demonstrate editing and proofreading.
- Bibliography is included and in an acceptable format.
- Student demonstrated effective use of available class time and did work out of class when necessary.

C
- Project does not meet all of the expectations listed above. Students wishing to raise their grade may revise their posters within the time frame announced when the posters are returned.
- Student demonstrated poor use of class time and/or was unprepared to work when provided with class time.

IP
- Either no project was submitted or it lacked most of the items listed above.

Figure 9.6. Original guidelines and criteria for museum exhibit project.

BEST COPY AVAILABLE

tent and other outcomes were, John and Brevin revised the project guidelines and evaluation criteria to place greater emphasis on content. They did not, however, delete other criteria; they still wanted to convey to students that visual appeal and proper grammar were important in preparing an effective presentation. Instead, they decided to weight the content criteria more heavily than what they termed "style and other criteria" (see revised guidelines and criteria in Figure 9.7).

While not specifically a law-related example, the experience of a team of science and history teachers from New Trier High School in Winnetka, Illinois, demonstrates the importance of a carefully thought-through task and adequate instruction. David Goodspeed, Don Rogan, and Betsy Parker decided to have students create displays for an exposition modeled on the Columbian Exposition of 1893.

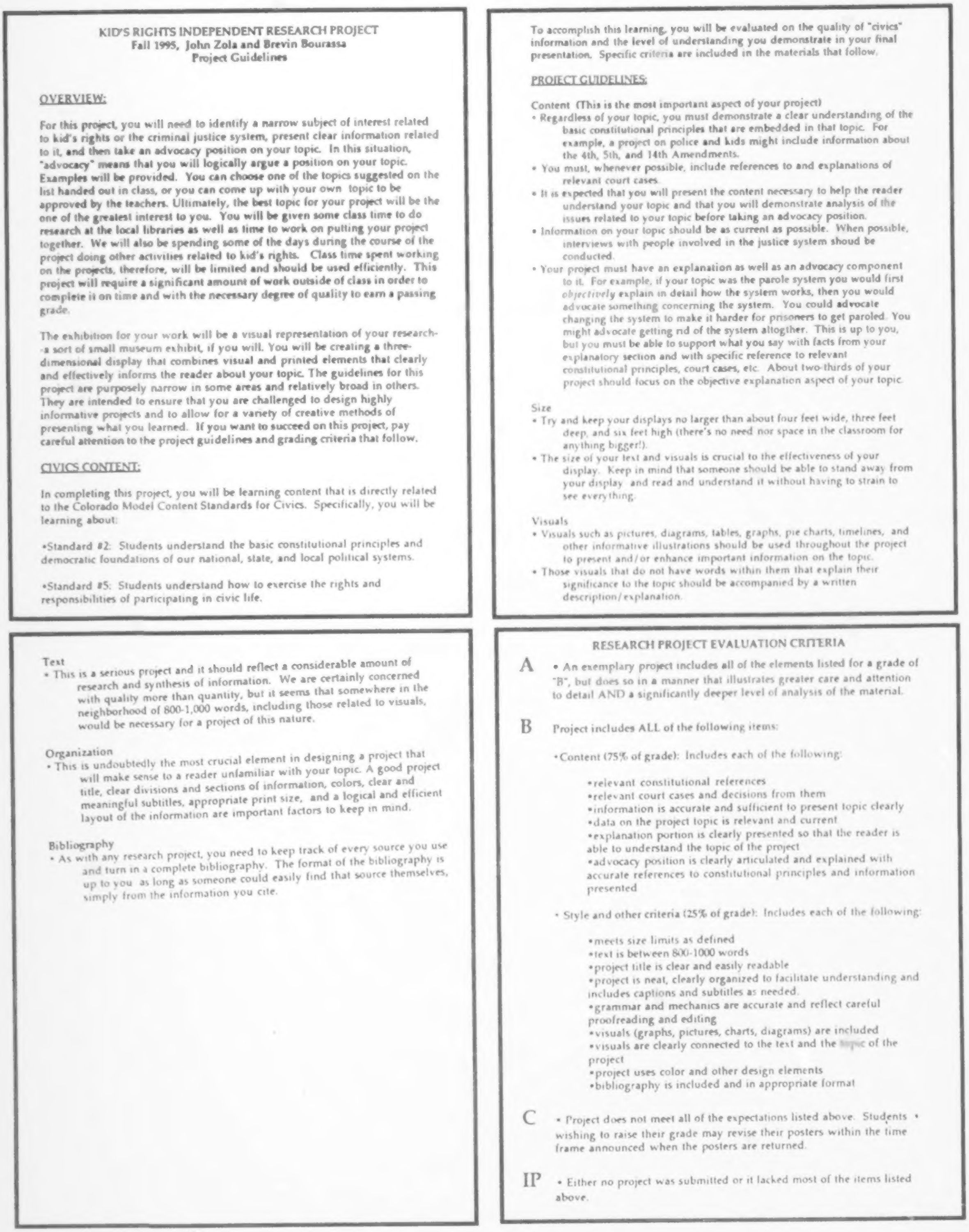
The objectives for students were as follows:

- Clearly communicate the historic and/or future significance of a science or technology.
- Demonstrate understanding of the history of a discovery/invention and be able to predict the future of the topic.
- Illustrate how the science or technology affected/affects individuals, society, and/or the environment.
- Illustrate how a science or technology was influenced by individuals, society, and/or the environment.
- Present information about a science or technology from a neutral point of view and document support for its claims with sufficient evidence.

The unit opened with a presentation about the Columbian Exposition of 1893 and a challenge to the students to prepare for the 100th anniversary of New Trier High School by planning a TrevExpo. Teams were then formed to research and study a science or technology of their choice; David, Don, and Betsy worked with teams to help them focus their topics and relate the topics to the content themes they had been studying. Coaching continued as teams wrote papers, prepared the exhibit, and wrote an abstract. The exhibits were presented in a daylong expo, visited by other classes in the school. The three teachers planning the expo had even prepared activities for use by other classes visiting the expo. In addition to presenting at the expo, students in the participating classes were required to visit several other exhibits, gather specified information, assess the exhibits, and nominate one for inclusion in the expo to be held for the school's 100th anniversary. Students assessed their own work, and the teachers used the rubric to assess each exhibit produced by their students. (See Figure 9.8 for assessment materials related to the assignment.)

Despite the intensive planning they had done and the coaching provided as the teams worked on their exhibits, David, Betsy, and Don were not completely satisfied with the resulting products. Because of the

© SSEC



KID'S RIGHTS INDEPENDENT RESEARCH PROJECT

Fall 1995, John Zola and Brevin Bourassa

Project Guidelines

OVERVIEW:

For this project, you will need to identify a narrow subject of interest related to kid's rights or the criminal justice system, present clear information related to it, and then take an advocacy position on your topic. In this situation, "advocacy" means that you will logically argue a position on your topic. Examples will be provided. You can choose one of the topics suggested on the list handed out in class, or you can come up with your own topic to be approved by the teachers. Ultimately, the best topic for your project will be the one of the greatest interest to you. You will be given some class time to do research at the local libraries as well as time to work on putting your project together. We will also be spending some of the days during the course of the project doing other activities related to kid's rights. Class time spent working on the projects, therefore, will be limited and should be used efficiently. This project will require a significant amount of work outside of class in order to complete it on time and with the necessary degree of quality to earn a passing grade.

The exhibition for your work will be a visual representation of your research--a sort of small museum exhibit, if you will. You will be creating a three-dimensional display that combines visual and printed elements that clearly and effectively informs the reader about your topic. The guidelines for this project are purposely narrow in some areas and relatively broad in others. They are intended to ensure that you are challenged to design highly informative projects and to allow for a variety of creative methods of presenting what you learned. If you want to succeed on this project, pay careful attention to the project guidelines and grading criteria that follow.

CIVICS CONTENT:

In completing this project, you will be learning content that is directly related to the Colorado Model Content Standards for Civics. Specifically, you will be learning about:

•Standard #2: Students understand the basic constitutional principles and democratic foundations of our national, state, and local political systems.

•Standard #5: Students understand how to exercise the rights and responsibilities of participating in civic life.

To accomplish this learning, you will be evaluated on the quality of "civics" information and the level of understanding you demonstrate in your final presentation. Specific criteria are included in the materials that follow.

PROJECT GUIDELINES:

Content (This is the most important aspect of your project)
- Regardless of your topic, you must demonstrate a clear understanding of the basic constitutional principles that are embedded in that topic. For example, a project on police and kids might include information about the 4th, 5th, and 14th Amendments.
- You must, whenever possible, include references to and explanations of relevant court cases.
- It is expected that you will present the content necessary to help the reader understand your topic and that you will demonstrate analysis of the issues related to your topic before taking an advocacy position.
- Information on your topic should be as current as possible. When possible, interviews with people involved in the justice system shoud be conducted.
- Your project must have an explanation as well as an advocacy component to it. For example, if your topic was the parole system you would first *objectively* explain in detail how the system works, then you would advocate something concerning the system. You could advocate changing the system to make it harder for prisoners to get paroled. You might advocate getting rid of the system altogther. This is up to you, but you must be able to support what you say with facts from your explanatory section and with specific reference to relevant constitutional principles, court cases, etc. About two-thirds of your project should focus on the objective explanation aspect of your topic.

Size
- Try and keep your displays no larger than about four feet wide, three feet deep, and six feet high (there's no need nor space in the classroom for anything bigger!).
- The size of your text and visuals is crucial to the effectiveness of your display. Keep in mind that someone should be able to stand away from your display and read and understand it without having to strain to see everything.

Visuals
- Visuals such as pictures, diagrams, tables, graphs, pie charts, timelines, and other informative illustrations should be used throughout the project to present and/or enhance important information on the topic.
- Those visuals that do not have words within them that explain their significance to the topic should be accompanied by a written description/explanation.

Text
- This is a serious project and it should reflect a considerable amount of research and synthesis of information. We are certainly concerned with quality more than quantity, but it seems that somewhere in the neighborhood of 800-1,000 words, including those related to visuals, would be necessary for a project of this nature.

Organization
- This is undoubtedly the most crucial element in designing a project that will make sense to a reader unfamiliar with your topic. A good project title, clear divisions and sections of information, colors, clear and meaningful subtitles, appropriate print size, and a logical and efficient layout of the information are important factors to keep in mind.

Bibliography
- As with any research project, you need to keep track of every source you use and turn in a complete bibliography. The format of the bibliography is up to you as long as someone could easily find that source themselves, simply from the information you cite.

RESEARCH PROJECT EVALUATION CRITERIA

A • An exemplary project includes all of the elements listed for a grade of "B", but does so in a manner that illustrates greater care and attention to detail AND a significantly deeper level of analysis of the material.

B Project includes ALL of the following items:

•Content (75% of grade): Includes each of the following:

- relevant constitutional references
- relevant court cases and decisions from them
- information is accurate and sufficient to present topic clearly
- data on the project topic is relevant and current
- explanation portion is clearly presented so that the reader is able to understand the topic of the project
- advocacy position is clearly articulated and explained with accurate references to constitutional principles and information presented

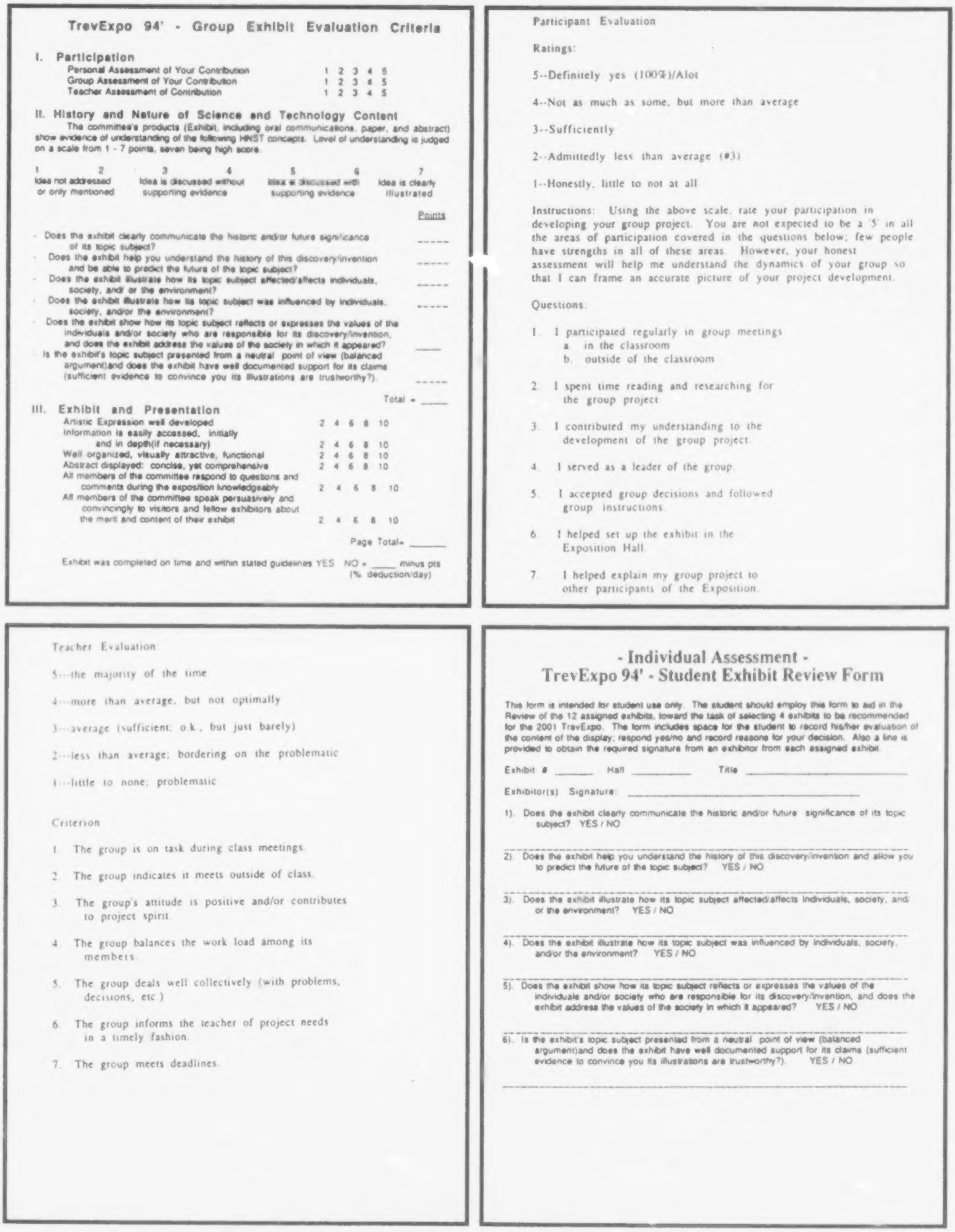
• Style and other criteria (25% of grade): Includes each of the following:

- meets size limits as defined
- text is between 800-1000 words
- project title is clear and easily readable
- project is neat, clearly organized to facilitate understanding and includes captions and subtitles as needed.
- grammar and mechanics are accurate and reflect careful proofreading and editing
- visuals (graphs, pictures, charts, diagrams) are included
- visuals are clearly connected to the text and the topic of the project
- project uses color and other design elements
- bibliography is included and in appropriate format

C • Project does not meet all of the expectations listed above. Students wishing to raise their grade may revise their posters within the time frame announced when the posters are returned.

IP • Either no project was submitted or it lacked most of the items listed above.

Figure 9.7. Revised guidelines and criteria for museum exhibit project.



TrevExpo 94' - Group Exhibit Evaluation Criteria

I. Participation

Personal Assessment of Your Contribution	1 2 3 4 5
Group Assessment of Your Contribution	1 2 3 4 5
Teacher Assessment of Contribution	1 2 3 4 5

II. History and Nature of Science and Technology Content

The commitee's products (Exhibit, including oral communications, paper, and abstract) show evidence of understanding of the following HNST concepts. Level of understanding is judged on a scale from 1 - 7 points, seven being high score.

1	2	3	4	5	6	7
Idea not addressed or only mentioned		Idea is discussed without supporting evidence		Idea is discussed with supporting evidence		Idea is clearly illustrated

Points

- Does the exhibit clearly communicate the historic and/or future significance of its topic subject? _____
- Does the exhibit help you understand the history of this discovery/invention and be able to predict the future of the topic subject? _____
- Does the exhibit illustrate how its topic subject affected/affects individuals, society, and/ or the environment? _____
- Does the exhibit illustrate how its topic subject was influenced by individuals, society, and/or the environment? _____
- Does the exhibit show how its topic subject reflects or expresses the values of the individuals and/or society who are responsible for its discovery/invention, and does the exhibit address the values of the society in which it appeared? _____
- Is the exhibit's topic subject presented from a neutral point of view (balanced argument)and does the exhibit have well documented support for its claims (sufficient evidence to convince you its illustrations are trustworthy?). _____

Total = _____

III. Exhibit and Presentation

Artistic Expression well developed	2 4 6 8 10
Information is easily accessed, initially and in depth(if necessary)	2 4 6 8 10
Well organized, visually attractive, functional	2 4 6 8 10
Abstract displayed: concise, yet comprehensive	2 4 6 8 10
All members of the committee respond to questions and comments during the exposition knowledgeably	2 4 6 8 10
All members of the committee speak persuasively and convincingly to visitors and fellow exhibitors about the merit and content of their exhibit	2 4 6 8 10

Page Total= _______

Exhibit was completed on time and within stated guidelines YES NO = _____ minus pts (% deduction/day)

Participant Evaluation

Ratings:

5--Definitely yes (100%)/Alot

4--Not as much as some, but more than average

3--Sufficiently

2--Admittedly less than average (#3)

1--Honestly, little to not at all

Instructions: Using the above scale, rate your participation in developing your group project. You are not expected to be a '5' in all the areas of participation covered in the questions below; few people have strengths in all of these areas. However, your honest assessment will help me understand the dynamics of your group so that I can frame an accurate picture of your project development.

Questions:

1. I participated regularly in group meetings
   a. in the classroom
   b. outside of the classroom
2. I spent time reading and researching for the group project.
3. I contributed my understanding to the development of the group project.
4. I served as a leader of the group.
5. I accepted group decisions and followed group instructions.
6. I helped set up the exhibit in the Exposition Hall.
7. I helped explain my group project to other participants of the Exposition.

Teacher Evaluation:

5---the majority of the time

4---more than average, but not optimally

3---average (sufficient: o.k., but just barely)

2---less than average; bordering on the problematic

1---little to none; problematic

Criterion

1. The group is on task during class meetings.
2. The group indicates it meets outside of class.
3. The group's attitude is positive and/or contributes to project spirit.
4. The group balances the work load among its members.
5. The group deals well collectively (with problems, decisions, etc.)
6. The group informs the teacher of project needs in a timely fashion.
7. The group meets deadlines.

- Individual Assessment -
TrevExpo 94' - Student Exhibit Review Form

This form is intended for student use only. The student should employ this form to aid in the Review of the 12 assigned exhibits, toward the task of selecting 4 exhibits to be recommended for the 2001 TrevExpo. The form includes space for the student to record his/her evaluation of the content of the display; respond yes/no and record reasons for your decision. Also a line is provided to obtain the required signature from an exhibitor from each assigned exhibit.

Exhibit # ______ Hall __________ Title ____________________________

Exhibitor(s) Signature: ____________________________________

1). Does the exhibit clearly communicate the historic and/or future significance of its topic subject? YES / NO

2). Does the exhibit help you understand the history of this discovery/invention and allow you to predict the future of the topic subject? YES / NO

3). Does the exhibit illustrate how its topic subject affected/affects individuals, society, and/ or the environment? YES / NO

4). Does the exhibit illustrate how its topic subject was influenced by individuals, society, and/or the environment? YES / NO

5). Does the exhibit show how its topic subject reflects or expresses the values of the individuals and/or society who are responsible for its discovery/invention, and does the exhibit address the values of the society in which it appeared? YES / NO

6). Is the exhibit's topic subject presented from a neutral point of view (balanced argument)and does the exhibit have well documented support for its claims (sufficient evidence to convince you its illustrations are trustworthy?). YES / NO

Figure 9.8. Assessment materials for science and technology exposition exhibits.

amount of work required to mount the expo, they gave serious thought to not doing the unit again. After discussion with outside observers and other teachers who were motivated to become involved in the exposition for the following year, the teachers decided to undertake the activity again.

Once this decision was made, the expanded group of teachers embarked on a process of reflection to determine what changes to make to the instructional and assessment aspects of the unit. They felt that some of the content themes they were trying to develop came out more clearly than others in student work. To address this perceived difficulty, they decided to clarify the rubric, simplifying the language and providing more examples. They also believed that having samples of exhibits created the first year of the project would be useful in demonstrating to students what exemplary work should look like. Finally, they decided to spend more classroom time on the content themes that the students had the most difficulty addressing.

David, Betsy, and Don were also concerned that the exhibits were not balanced, that students emphasized the positive effects of technology and science without considering negative impacts. After discussion with outside observers, who noted that students were able to talk about negative impacts even when they weren't shown in the displays, the teachers hypothesized that the connection to the Columbian Exposition of 1893 might have provided an overly positive model for students. Thus, they decided to revise their instructions to emphasize changes since 1893 that have caused people to be more analytical about the effects of technology and science on the society and environment. The process of reflection also prompted the team to make other revisions to their instruction and assessment which they will implement in the coming year.

Reflection/Exercise

Pick a topic that could be effectively assessed through creation of museum displays. Possible examples include:

- The relationship between law and culture.
- The impact of the Bill of Rights on our everyday lives.
- Conflicts between advanced technologies and individual rights.

How would you structure a museum-building task related to this topic? What goals would you want students to achieve? What criteria would you use to evaluate student work? How would you provide instruction and coaching related to those criteria? Outline a task and assessment rubric that could be used with this assignment.

Multimedia Presentations

Today's young people—and society—are increasingly media-oriented. Thus, multimedia presentations are intrinsically interesting to many students as well as being an authentic way to communicate information in our society. Several project teachers used multimedia projects as a way to assess civic knowledge and skills.

EXERCISE YOUR RIGHT TO VOTE

EXERCISE YOUR RIGHT TO VOTE

Larry Black, a teacher at Sam Barlow High School in Gresham, Oregon, asks students to design a campaign strategy and multimedia materials (commercials, campaign posters, buttons, etc.) as a way of demonstrating their understanding of propaganda techniques, the campaign process, and specific campaign issues. He assesses students' performance on five dimensions: (1) creativity, which includes the use of varied propaganda techniques, symbolism, slogans, and color; (2) position on the issues; (3) recognition of opposing views; (4) organization; and (5) inspiration (i.e. whether the campaign would arouse the interest of voters).

Lisa Partridge, who teaches at David Douglas High School in Portland, Oregon, has used multimedia presentations as a way to assess students' learning in specific units, as well as a culminating activity for a course. Her family history presentation scoring guide (Figure 9.9) is an example of an assessment that has gone through several changes. Lisa's overarching goal for this unit is for students to understand how their family histories fit with the history of the United States. Specific objectives for the units are for students to:

- Research the national origins of their families.
- Determine the meaning of their surnames.
- Connect their own families' history to major events in U.S. history.
- Present information orally using good public speaking techniques.
- Listen respectfully to others' presentations.

Here is how Lisa describes her work on this task:

The first year I did the presentations, I designed the scoring guide to use. It was important to me that students practice effective public speaking skills through sharing information they had researched about their family's immigrant experiences in this country. As this was the first time I had done this project with my class and I didn't have an example to show the class of what a "good" presentation looked like, I actually shared my own family's history with my classes so they could see what I was expecting of them. In addition, I had designed a scoring guide that included the items I thought were most important in the presentation. The most important thing I did this first year, however, was that I videotaped all the presentations.

FAMILY HISTORY PROJECT

In order to understand the topic of immigration more thoroughly, you will be researching your own family's beginnings in this country. The Family History Project will include three parts: research on the meaning of your family's name, making a family tree and giving an oral presentation to the class on your family's history.

You will be required to give a 5-10 minute presentation where you talk about the history of your family in the United States. You will be graded on the content of your presentation, your speaking skills, the organization of your presentation, the use of a visual aid, and your listening skills during other students' presentations (see the Family History Presentation Scoring Guide).

There are several things you might include in your presentation:

1. What is the origin of your family surname? What is its meaning? What, if any, changes did your family surname undergo if your ancestors came for the "whole country" to the United States? What stories do you know about the changes?

2. What traditional names have been used in your family? Nicknames? Are there naming traditions?

3. What traditions have been handed down to you from branches of your family? What traditions seem to be dominant in your family's history?

4. What stories have been passed on to you about your parents? Ancestors? What do you know about your ancestors' childhood, religion, politics, schooling, marriage, courtship, leisure activities, attitudes about death, etc.?

5. Is there a famous or notorious person in your family's past? What can you tell about him/her?

6. How did your parents, grandparents, great-grandparents, etc. come to meet and marry? Are there family stories about these relationships (e.g. jilted brides, brief courtships, elopements, etc.)

7. What historical events (e.g. Civil War, Depression, World War I, World War II, Vietnam War, etc.) affected your family most?

8. Are there any special family recipes that have been preserved and handed down from generation to generation to your family? Are they still in use today?

9. Are there reunions held among members of your family? How often? When and where? Are there traditional foods and activities? Are stories and photographs exchanged?

10. What languages have been important in your family's past and present? Religion and religious practices? Ties to a homeland?

Some ideas for visual aids:

Family photographs

Chart of your Family Tree

Ration coupons from World War II

Military Medals

Family Crest

Food from a Traditional Family Recipe

Passports from Other Countries

Point Totals (check-off as you complete):

I. Family Name Research (5 points) Due: ______________
Family Name Handout

II. Family Tree (10 points) Due: ______________
Family Tree Handout

II. Family History Presentation (50 points) Due: ______________
Research information about your family
Organize information for your presentation
Make/Gather visual aid(s)
Practice your Presentation
Give your presentation to the class

FAMILY HISTORY SCORING GUIDE

	1	2	3
Content	• speaker is able to elaborate-gives many details • gives information in a creative way; tells stories and anecdotes to bring family alive	• some details given • makes some attempt to be creativetells some stories and anecdotes	• few details given • no attempt to be creative-gives basics only
Speaking Skills	• uses voice inflection • clearly enunciates • maintains eye contact • uses no distracting gestures (gum, tics, etc.) • maintains an appropriate rate of speech	• loses voice inflection at times • mumbles at times • loses eye contact at times • some distracting gestures • at times, speaks too fast	• monotone • mumbles • looks down • many distracting gestures/speech (gum, "uh", "like") • talks too fast
Organization	• uses an effective introduction and conclusion • uses a logical organization • flows well • uses transitions	• introduction and/or conclusion missing • jumps around at times in presentation • uses transitions some of the time	• introduction and conclusion missing • makes illogical jumps in organization • does not use transitions • appears to be "thrown together" at the last minute
Visual Media	• "weaves" visual into the presentation • large enough to see • aesthetically pleasing	• makes some reference to visual and attempts to"weave" it into presentation • hard to see in places • a few errors in aesthetics	• shows visual but makes no reference to it • small, or sloppy, does not add to presentation
Listening Skills	• attentive to speakers • looks at speaker • no distracting gestures • claps when speaker is finished	• pays attention to most speakers • looks away at times • distracts others at times • forgets to clap at times	• not paying attention • does not look at speakers • distracting gestures often • does not clap

Lisa Partridge, David Douglas High School, Portland, OR.

Figure 9.9. Family history project directions and scoring guide.

Last year when it was time to do the Family History project again, I showed my new classes the presentations that had been done the year before. I showed five presentations to the students, but I didn't tell them which presentations I thought were good or bad. After the students viewed the videotapes, I asked them what presentations they liked best and then we listed the characteristics that made those presentations "good." Next, I asked them which presentations were not effective and then we listed as a class why these presentations were not as good as the first group. In this way, the students came up with the characteristics that were the anchors of the top and bottom of the scoring guide.

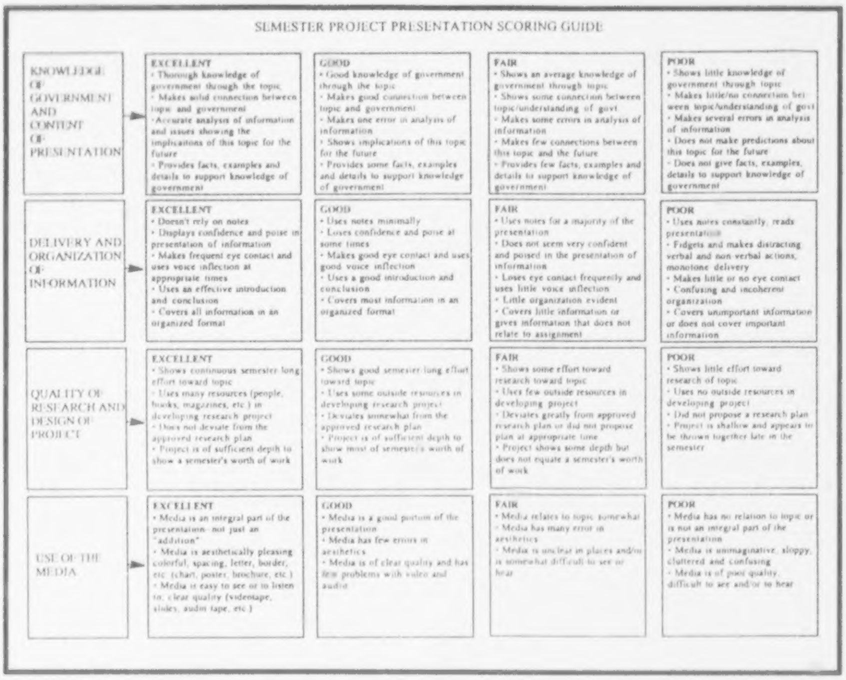
I encountered a few problems using this method to design the scoring guide with the class. First, the students in my current class knew the names of the students who gave the presentations the previous year. I was concerned that a student might approach someone and say, "We saw your presentation in class today and you really sucked!" I asked the students to be sensitive about the presentations, but the anonymity problem was a hard one to overcome if I wanted samples to show my current students. Second, students are good at coming up with the characteristics of the top and bottom of the scoring guide, but it is harder for them to see the fine gradations needed in the middle categories (actually that is hard for me too!). That is why my scoring guide only has three levels rather than four or six as was suggested by project consultant Steve Schuman.

Most of the characteristics the students came up with were similar to the scoring guide I had done the year before. However, the students surprised me by suggesting a category I hadn't even thought about. The students picked up on the fact that the students watching the presentations were not very attentive. The "listening skills" category was their own creation and I realize that was a major error in the scoring guide I had designed on my own.

As time goes on, the anonymity problem will be easy to solve because the students will have graduated before my current class has entered high school. In the future, I probably will have to design the middle levels on the scoring guide. I don't see this as a big problem because my main goal is for them all to give "good" presentations which will be clearly defined by them. I like using student samples to design the scoring guides and I plan to continue this method as I continue to give this assignment.

Lisa has also developed a scoring guide for a semester-culminating project for her government class (Figure 9.10). While she indicated that differentiating levels of performance is one of the difficulties she faces in developing rubrics, this rubric does describe four levels of performance on four criteria: (1) knowledge of government and content of presentation, (2) delivery and organization of information, (3) quality of research and design of project, and (4) use of media.

© SSEC



SEMESTER PROJECT PRESENTATION SCORING GUIDE

KNOWLEDGE OF GOVERNMENT AND CONTENT OF PRESENTATION	**EXCELLENT** • Thorough knowledge of government through the topic • Makes solid connection between topic and government • Accurate analysis of information and issues showing the implicaitons of this topic for the future • Provides facts, examples and details to support knowledge of government	**GOOD** • Good knowledge of government through the topic • Makes good connection between topic and government • Makes one error in analysis of information • Shows implications of this topic for the future • Provides some facts, examples and details to support knowledge of government	**FAIR** • Shows an average knowledge of government through topic • Shows some connection between topic/understanding of govt • Makes some errors in analysis of information • Makes few connections between this topic and the future • Provides few facts, examples and details to support knowledge of government	**POOR** • Shows little knowledge of government through topic • Makes little/no connection between topic/understanding of govt • Makes several errors in analysis of information • Does not make predictions about this topic for the future • Does not give facts, examples, details to support knowledge of government
DELIVERY AND ORGANIZATION OF INFORMATION	**EXCELLENT** • Doesn't rely on notes • Displays confidence and poise in presentation of information • Makes frequent eye contact and uses voice inflection at appropriate times • Uses an effective introduction and conclusion • Covers all information in an organized format	**GOOD** • Uses notes minimally • Loses confidence and poise at some times • Makes good eye contact and uses good voice inflection • Uses a good introduction and conclusion • Covers most information in an organized format	**FAIR** • Uses notes for a majority of the presentation • Does not seem very confident and poised in the presentation of information • Loses eye contact frequently and uses little voice inflection • Little organization evident • Covers little information or gives information that does not relate to assignment	**POOR** • Uses notes constantly, reads presentation • Fidgets and makes distracting verbal and non verbal actions, monotone delivery • Makes little or no eye contact • Confusing and incoherent organization • Covers unimportant information or does not cover important information
QUALITY OF RESEARCH AND DESIGN OF PROJECT	**EXCELLENT** • Shows continuous semester long effort toward topic • Uses many resources (people, books, magazines, etc.) in developing research project • Does not deviate from the approved research plan • Project is of sufficient depth to show a semester's worth of work	**GOOD** • Shows good semester long effort toward topic • Uses some outside resources in developing research project • Deviates somewhat from the approved research plan • Project is of sufficient depth to show most of semester's worth of work	**FAIR** • Shows some effort toward research toward topic • Uses few outside resources in developing project • Deviates greatly from approved research plan or did not propose plan at appropriate time • Project shows some depth but does not equate a semester's worth of work	**POOR** • Shows little effort toward research of topic • Uses no outside resources in developing project • Did not propose a research plan • Project is shallow and appears to be thrown together late in the semester
USE OF THE MEDIA	**EXCELLENT** • Media is an integral part of the presentation--not just an "addition" • Media is aesthetically pleasing colorful, spacing, letter, border, etc. (chart, poster, brochure, etc.) • Media is easy to see or to listen to; clear quality (videotape, slides, audio tape, etc.)	**GOOD** • Media is a good portion of the presentation • Media has few errors in aesthetics • Media is of clear quality and has few problems with video and audio	**FAIR** • Media relates to topic somewhat • Media has many error in aesthetics • Media is unclear in places and/or is somewhat difficult to see or hear	**POOR** • Media has no relation to topic or is not an integral part of the presentation • Media is unimaginative, sloppy, cluttered and confusing • Media is of poor quality, difficult to see and/or to hear

Figure 9.10. Scoring guide for semester-culminating presentation.

Reflection/Exercise

A topic that has generated considerable discussion in our project is whether generic rubrics are useful. Examine Lisa's scoring guide for her semester-culminating presentations (Figure 9.10). With changes in the specific knowledge covered, could this guide be used as a generic rubric for any multimedia presentation? Why or why not?

Think about a multimedia presentation you assign. How could you adapt Lisa's presentation rubric to assess your outcomes for the project?

Pitfalls and Challenges of Product Assessments

Several teachers commented that in creating products students concentrate on visual appeal and do not include sufficient content or provide evidence of depth of understanding or critical thinking. This tendency is exacerbated by the technological tools available to many students. For example, Ivory Moore, a teacher at Chatfield High School in Colorado's Jefferson County, assigned students the task of creating brochures that informed their schoolmates about date rape and the resources available for dealing with this crime. Ivory found that many students' computer skills allowed them to create products so visually appealing that it was easy to miss problems with the content presented. Furthermore, he found that students concentrated all of their thinking and effort on the visual presentation so that the brochures looked different, but all contained almost the same content, showing little effort to expand on what was covered in class.

Based on our observations, this pitfall may be due to the fact that both students and teachers initially lack a clear understanding of what constitutes exemplary performance. Determining how, for example, a student will show a particular author's interpretation of the "people's history" of an era is not an easy task. Thus, it is not surprising when students do not meet the teacher's expectations and feel that they were scored unfairly on this criterion. Again, we would urge teachers to assign several products as instructional activities before using one as an assessment; this process will help you and the students reach a shared understanding of how exemplary thinking/understanding of content are shown in a product of a certain type. It will also help you refine your instructions for the task. Through coaching and feedback and provision of examples of student work from previous assignments, students will be able to progress toward the standard you want them to attain.

Some teachers feared that in assigning products, they were shortchanging the students who are good writers and could easily produce an essay that shows evidence of depth of understanding and critical thinking. On the other hand, the product assignment provides an opportunity for students that are not good writers but may be able to show depth of understanding and thinking in another format—an opportunity that has traditionally been all too rare. In addition, even those students who are good writers will sometimes be required in their adult lives to convey ideas in other than written form; thus, the product assignment is a good chance for them to develop other skills.

Teachers also expressed concern about assigning group scores to products. To many teachers, creating products is an excellent group assignment. They are concerned, however, that not every student in the group would have the level of understanding reflected in the final product and therefore would not actually have met the standard. This concern is a valid one. A strategy for addressing it is to have students work in groups on several product-based activities that are not assessed and then have them create individual products for the assessment. Another strategy is to continue assigning products as group activities but to follow some or all product assessments with a writing assignment or more traditional test to determine whether all students have developed the knowledge and ability to use it reflected in the poster. A form for keeping track of daily work can be used for tracking individual contribution (see Figure 9.11).

© SSEC

Another problem that we observed was that some tasks did not match goals and products well. Visual products tend to require a great deal of summary and synthesis because a great deal of information must be shown in a compact form. While using the skills of summarizing and sythesizing is beneficial, we observed that some tasks required too much generalization to be useful. For example, if students must summarize the events related to the civil rights of all groups of Native Americans over a period of 30 years in a single image or phrase, they may actually come away from the task with a newly formed misconception. Teachers must be careful in developing their tasks that the level of generalization the task requires is appropriate.

Group Members: (list yourself first)

Self & Group Accountability Log

The purpose of this log is for you and your group to monitor your progress toward accomplishing your task on the 1920s. In the first couple of minutes of class, complete the expectations for today; in the last couple of minutes each day, make a note of your progress.

Date: ________________	Date: ________________
Work you expect to accomplish today:	Work you expect to accomplish today:
At end of period, record what you actually completed.	At end of period, record what you actually completed.
self | group	self | group
What help do you need to accomplish tomorrow's tasks?	What help do you need to accomplish tomorrow's tasks?
Who will help you?	Who will help you?
Self grade for today's effort: ___ Group grade for today's effort:___	Self grade for today's effort: ___ Group grade for today's effort:___

Figure 9.11. Self and group accountability log.

© SSEC

Chapter 10: Portfolios

At North Middle School in Denver, Colorado, and Black Mountain Middle School in San Diego, California, eighth-graders present their portfolios to a panel of teachers, parents, peers, and community members as part of a continuation requirement at the end of the school year. In the first year of implementing portfolios, North Middle School teachers reported some unexpected results: parent involvement in the end-of-the-year conferences increased dramatically; portfolio presentations were recognized by all students and staff as an important learning experience; and students ended the school year with a sense of accomplishment and recognition. Similar experiences were reported by teachers at Black Mountain. The culminating event, called the "continuation celebration," shapes assessment throughout the year. At these two schools, teachers and students are using portfolios to improve student learning and assessment. As Black Mountain history teacher Gary Kroesch states, portfolios are the "glue" that holds instruction and assessment together.

More than just a collection of student work, a portfolio represents a deliberate selection of work to illustrate the extent to which the student has attained a specified set of outcomes. Because teachers can design portfolios to focus on the unique features of their courses, there is often much confusion about the purposes of portfolios and their content. Another point of confusion stems from the fact that portfolios are essentially a creative and reflective process and serve a very different purpose than standardized tests. In contrast to single-score measures, portfolios are an excellent way to illustrate performance on a variety of outcomes, providing a richer, more complete description of student understanding. They also readily illustrate an important but often overlooked outcome: improvement over time. Similarly, examination of a student's portfolio can reveal patterns of behavior that become apparent only when multiple samples are considered at one time.

Reflection/Exercise

Let's assume that you, as an adult, were asked to produce a portfolio documenting your qualification for the "office of citizen." What would you include in your portfolio? What knowledge, skills, and experience would you highlight? Have you served on a jury? Have you worked on a political campaign? When and were do you engage in discussion of public issues? Have you written to a public official recently? How do you stay informed about important issues? Do you volunteer in your community? How is your work related to the office of citizen? How could you show growth in your qualifications over time? Sketch out a table of contents for your portfolio.

As a teacher, apply this exercise to the students you teach. At the end of the year, what evidence will they have to show that they are qualified to hold this important office? How could they document that they have grown in terms of the knowledge, skills, and experiences needed to hold this office?

Purposes of Portfolios

Portfolios can be integrated into curricula as a way to help students develop self-assessment and self-reflection skills. Also, by collecting work that shows improvement over time, students will gain a sense of mastery, progress, and (hopefully) more pride in the quality of their work. Portfolios are also helpful to teachers because they provide a complete picture of students' understanding, including attitudes and learning difficulties. Teachers can use this information to modify and adapt instruction to the needs of their students. The emphasis is on helping students develop self-reflection and assessment skills, enhancing student involvement, and demonstrating progress over time.

Portfolios can also be used for assessment purposes. Portfolios used for this purpose include carefully selected samples of work that show the extent to which the student has attained a set of outcomes. The portfolio can be evaluated based on the students' selection of work, evidence of improvement, and/or the overall quality of the portfolio. Most importantly, materials included in a portfolio should illustrate the extent to which the student has met the instructional goals of a unit or course. Generally, portfolios should show student thinking, improvement over time, connections/integration between subject areas, problem solving, and student self-reflection about his/her work. Although pieces in the portfolio could be both graded and ungraded (e.g., a rough draft and a final essay), each should illustrate a particular outcome (e.g., improvement, mastery of a skill, knowledge, etc.).

What gets assessed depends on the teacher's instructional goals. For example, the student may choose from a variety of assignments to illustrate his/her understanding of how local government makes decisions about environmental issues. If, over time, the student chooses to include a different assignment to illustrate that outcome, he/she can add it to the portfolio. Many educators argue that evaluating the whole portfolio (i.e., reducing all scores on several assessment tasks and outcomes to a single score) defeats the purpose of using portfolios. For practical purposes, however, some teachers may elect to use work in the portfolio to compute a summative course grade. Some teachers argue that evaluating the portfolio based on criteria such as completeness and overall presentation motivates students to put together high quality portfolios. Figure 10.1 shows two conceptions of portfolios that Gary Kroesch has developed; either can be effective if used in the context of meaningful curriculum.

Regardless of how they fit into your existing grading system, the rewards of portfolios should include: (1) better integration and connections between instruction and assessment, (2) better feedback to students about their strengths and weaknesses, (3) an increase in students' sense of mastery and accountability that will helpfully lead to better overall performance, and (4) better feedback to parents, particularly in parent-teacher or student-led conferences.

What if using portfolios for both instructional and assessment purposes appeals to you? Great! Portfolios can serve several purposes at the same time. For example, you may decide that you want to use portfolios to help your students develop self-assessment skills, to integrate several units under a common theme, and to show the extent to which students have met course outcomes (e.g., understanding historical and current events related to constitutional issues). You also realize that you want to provide students an incentive for working hard on their portfolios, so the portfolio itself will be assessed as a product (criteria might include clarity, variety of information, completeness, etc.). This type of portfolio is serving several purposes at once, which is part of the power of using portfolios in the classroom.

The Portfolio-Based Classroom

What does a portfolio-based classroom look like? Most teachers who have used portfolios in their classrooms report that the process of using portfolios is more important than the actual portfolios themselves. Portfolios are a great way to provide students with better feedback and involve them in the assessment process, reports Kathy Ratté, a history and economics teacher from Jefferson County, Colorado. "The portfolios pro-

© SSEC

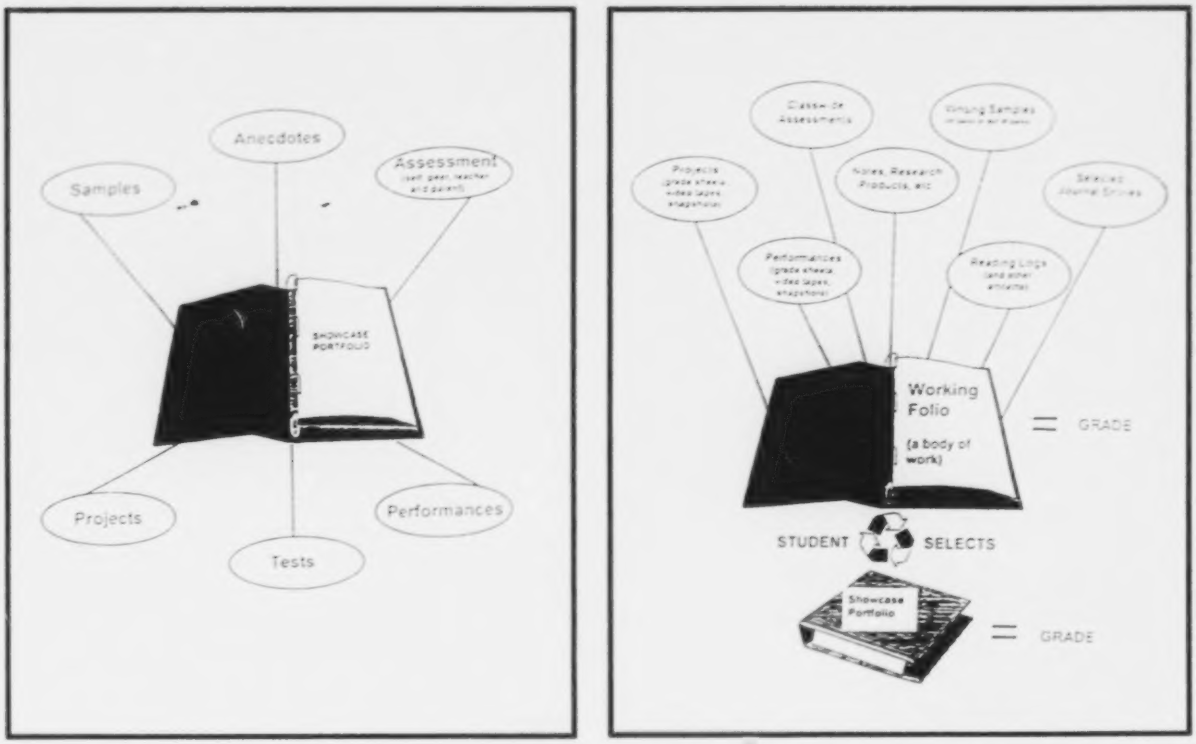

Samples
Anecdotes
Assessment (self, peer, teacher and parent)
SHOWCASE PORTFOLIO
Projects
Tests
Performances
Classwide Assessments
Writing Samples
Projects (grade sheets, video tapes, snapshots)
Notes, Research Products, etc
Selected Journal Entries
Performances (grade sheets, video tapes, snapshots)
Reading Logs (and other artifacts)
Working Folio
(a body of work)
= GRADE
STUDENT
SELECTS
Showcase Portfolio
= GRADE

Figure 10.1. A schematic of two portfolio systems. One is graded at two points in the development process. The second is not graded but is presented by the student at a "showcase" event.

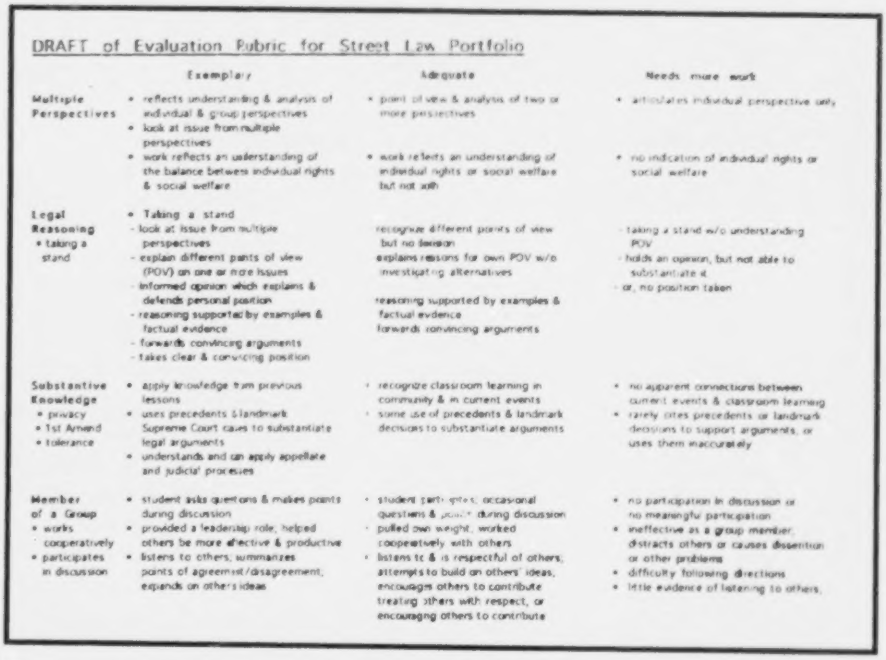
mote a dialogue between me and each student. We talk about how they're doing, what they need to do to improve, and, most importantly, students reflect on the quality of their work more thoughtfully." Students are told to collect samples of work and "present a case for the grade you deserve." Using this strategy, Kathy feels that her students are much more reflective about their performance and what constitutes good work. Students are also motivated to do good work because they are involved in the assessment process. Kathy emphasizes that students can put anything in their portfolio that shows that they have met course goals in three areas: content, skill development, and participation. The end-of-semester conference provides students a chance to reflect on their strengths, weaknesses, and areas of improvement. For Kathy, student improvement is an important component in her evaluation system. "Even students who do 'A' work must show improvement. Emphasizing improvement also allows me to reward students who may not necessarily meet my high standards but who show significant progress over the semester."

Ginny Jones, a social studies teacher at Skyline High School in Longmont, Colorado, experimented with the concept of a portfolio in a *Street Law* class. During the first week of the semester, she explained to her class (a small class of 15 with a high percentage of students having low motivation) that they would be creating portfolios of their best work as a way to evaluate their progress in the course. Ginny developed criteria for assessing the portfolios (see Figure 10.2) to match the objectives of her course.

Conversation about how students were doing in relationship to the criteria took place at periodic student conferences. Ginny structured conferences lasting from five to fifteen minutes with each student at three points during the semester. At the conferences, Ginny asked students to pick work from their various oral and written presentations to illustrate various objectives from her course. She began each conference by asking students to "visit with me about where your work is at in relationship to where you want it to be."

For many students, having someone ask them to select samples of their best work was a novel experience. Some students took advantage of the opportunity to revise work so that it met a higher standard. Most, however, were interested in how they might improve but only wanted to apply that information to future work. All at least responded to the question "What can I do better?" A few had no idea at what level they are performing.

After the *Street Law* course was over, Ginny reflected on the portfolio experience. She noted that the rubric needed some revision. In particular, while students saw connections among the criteria, they needed more specificity in order to improve their performance. Ginny also felt the need for another level of performance between "Adequate" and "Ex-



DRAFT of Evaluation Rubric for Street Law Portfolio

	Exemplary	Adequate	Needs more work
Multiple Perspectives	• reflects understanding & analysis of individual & group perspectives • look at issue from multiple perspectives • work reflects an understanding of the balance between individual rights & social welfare	• point of view & analysis of two or more perspectives • work reflects an understanding of individual rights or social welfare but not both	• articulates individual perspective only • no indication of individual rights or social welfare
Legal Reasoning • taking a stand	• Taking a stand - look at issue from multiple perspectives - explain different points of view (POV) on one or more issues - informed opinion which explains & defends personal position - reasoning supported by examples & factual evidence - forwards convincing arguments - takes clear & convincing position	recognize different points of view but no decision explains reasons for own POV w/o investigating alternatives reasoning supported by examples & factual evidence forwards convincing arguments	- taking a stand w/o understanding POV - holds an opinion, but not able to substantiate it - or, no position taken
Substantive Knowledge • privacy • 1st Amend • tolerance	• apply knowledge from previous lessons • uses precedents & landmark Supreme Court cases to substantiate legal arguments • understands and can apply appellate and judicial processes	• recognize classroom learning in community & in current events • some use of precedents & landmark decisions to substantiate arguments	• no apparent connections between current events & classroom learning • rarely cites precedents or landmark decisions to support arguments, or uses them inaccurately
Member of a Group • works cooperatively • participates in discussion	• student asks questions & makes points during discussion • provided a leadership role; helped others be more effective & productive • listens to others; summarizes points of agreement/disagreement; expands on others ideas	• student participates; occasional questions & points during discussion • pulled own weight, worked cooperatively with others • listens to & is respectful of others; attempts to build on others' ideas, encourages others to contribute treating others with respect, or encouraging others to contribute	• no participation in discussion or no meaningful participation • ineffective as a group member, distracts others or causes dissention or other problems • difficulty following directions • little evidence of listening to others,

Figure 10.2. Draft rubric for Street Law portfolio.

© SSEC

emplary." She began the work of revising the rubric (Figure 10.3), a part of the process that Ginny finds most difficult.

An interesting activity that paralleled Ginny's portfolio experiment was a process by which Ginny both modeled and encouraged reflection. Because it was the first time that she had taught law in ten years, Ginny decided to ask students for periodic feedback on how the course was working. To accomplish this, Ginny asked them to periodically write her a "Dear Ginny" letter. She provided several questions on a transparency for students to use in their letters: "Is this class meeting your needs?" "What skills and knowledge are you learning?" "How much effort are you putting into this class?" She found that the letter exercise helped students to self-assess. One student told her, "I'm hardly putting any effort into my class, but that's not new. I don't work in any of my classes."

While they can address many instructional objectives, teachers have found that portfolios increase student involvement in the assessment process. Kathy Bell, a teacher at Mundelein (Illinois) High School found this to be true when she implemented a portfolio-based final exam for her law class. Kathy had been through several revisions of a final assessment for her course, including a traditional test and less traditional writing tasks, but she did not feel that any of her previous attempts really reflected the progress students made toward achieving her most important outcome: "Students will be better able to make connections between class and the real world of a citizen in a free society."

During the 1995-96 school year, she decided to use a portfolio as a final assessment. The portfolio would include several very particular assignments, including a before-and-after writing assignment on a specific issue demonstrating how students' thinking had changed over the course of the semester, a letter to the editor taking a position on a controversial public issue, and a reflection letter in which students discussed their progress toward becoming effective citizens. The reflection letter was to be accompanied by evidence of how students had achieved course goals.

Here is Kathy's description of how she realized that students needed to be more actively involved in the assessment process if they were to successfully demonstrate that they had achieved the course's overarching outcome:

About mid-point in the first quarter, I asked students to complete a semantic map of what citizens do in a democratic society. They shared their findings in small groups, and each group presented their map to the class. These were posted on the bulletin board so that we could refer to them as we went along.

Next, the class brainstormed what would count as evidence that a citizen was effective based on our definition. We called the pieces of evidence artifacts. The students constructed the criteria for what an artifact should contain to be considered as evidence.

© SSEC

Second Rubric for Street Law Course

	Advanced	Proficient	Basic	Pre-Basic
Substantive Knowledge • Individual Rts & Responsibilities —privacy —1st Amendment • Criminal Law & Justice System —4th Amendment • Civil or Fam Law	• apply knowledge from previous lessons • uses precedents & landmark Sup Ct cases to substantiate legal arguments • understands and applies appellate and judicial processes		• recognizes classroom learning in community & in current events • uses precedents & landmark decisions to substantiate arguments	• no apparent connections between current events & classroom learning • rarely cites precedents or landmark decisions to support arguments, or uses them inaccurately
Legal Reasoning • take a stand • support and defend positions	• Taking a stand —forwards convincing arguments —takes clear & convincing positions —explain different points of view (POV) on all or most all issues —informed opinion which explains and defends personal position • Support & defend positions —reasoning supported by examples and factual evidence	• explain different points of view (POV) on one or more issues	• recognizes different points of view but no decision • explains reasons for own POV w/o investigating alternatives • reasoning supported by examples and factual evidence • forwards convincing arguments	• taking a stand w/o understanding POV • holds an opinion but not able to substantiate it • or, no position taken
Multiple Perspective Taking • articulates multiple POV • tolerance for other POV	• reflects understanding and analysis of individual and group perspectives • looks at issue from multiple perspectives • work reflects an understanding of balance between individual rights and social welfare	• POV & analysis of 2 or more perspectives • work reflects an understanding of individual rights or social welfare but not both	• POV & analysis of 2 or more perspectives • work reflects an understanding of individual rights or social welfare but not both	• articulates individual perspective only • no indication of individual rights or social welfare
Member of a Group • works cooperatively • participates in discussion	• student asks questions & makes points during discussion • provides a leadership role • helps others be more effective and productive • listens to others; summarizes points of agreement/disagreement • expands on other's ideas		• student participates; occasional questions and points during discussion • pulls own weight; works cooperatively with others • listens to & respects others; attempts to build on others' ideas • encourages others to contribute; treats others with respect	• no participation in discussion or no meaningful participation • ineffective as a group member; distracts others or causes dissension or other challenges • difficulty following directions • little evidence of listening to others, treating others with respect, or encouraging others

Figure 10.3. Beginning steps in revising the rubric for a Street Law portfolio.

The students developed the following questions as their guide:

What is your artifact about?
Which goal are you working on?
How does this artifact show that you are a better citizen?
Why did you choose this artifact?
What is your opinion/reaction to this artifact?

Based on these questions, I asked students to bring an artifact to class as "a trial run." This was our first attempt. Several students showed up the next day with nothing, some brought in news articles, one summarized an interaction he had had with his parents related to our discussion of the death penalty.

I realized that there was confusion as to how the goals were translated into evidence that students had progressed toward that goal. Further, it was clear to me that we needed more discussion as to why we were doing this so that it didn't turn out to be an assignment to do but instead an opportunity to learn. The connections I valued so highly were not apparent to me or them.

Back to the drawing board.

I used clips from the video, The Democratic Experience *(PBS), as models of the problems we are facing as a citizenry and what some citizens can and are doing to make a difference. This was of some help and, as a class, we agreed that we would try again.*

Several weeks later, I asked for another artifact to be brought to class. This time more students brought in articles and/or summaries of what they were doing and some used examples from other classes. This was progress; however, it was getting late in the semester, and I was beginning to feel the pressure to wrap up the course before finals.

I was worried that I had not spent the kind of time modeling what I was seeking well enough for them to have any deep understanding or make real connections. I was also worried that instead of a meaningful task, I had created busy work for them to do and they would submit what I call "air ball" responses—ones prepared to impress the teacher and/or ones that lack any kind of thought at all and are made up in the cafeteria or study hall five minutes before class.

I decided that an important component was lacking...the involvement of the very people that I wanted to be effective citizens. They had been on the sidelines for most of this journey.

I asked students to brainstorm the criteria for how I should evaluate work that would be in their portfolios. They responded to three questions:

What are the characteristics of a good reflection letter?
What is the purpose of the artifacts for citizenship?
What should the criteria be for evaluating the artifacts?

© SSEC

After reading their responses, I was impressed that they did seem to understand the purpose for connecting the class work with their role as citizens. I turned the student input into a simple scoring guide (Figure 10.4). The guide matched very well with my expectations of the task.

When I read their letters, I was impressed with their insights and felt that I had moved a step closer to better linking the goals/outcomes of the course with the real world. My previous attempts using a reflection letter provided me with summaries of what students liked and did not like and the extent to which they worked hard and turned in their work. After focusing on the class outcomes and criteria for determining if they had met those outcomes, the students were better able to demonstrate what they really knew and were able to do. I realized more than ever that the student role in the process is crucual. My reflection and revisions in the future will come from several sources, not the least of which is student involvement in the process.

Student-Generated Criteria

Characteristics of a Good Reflection Letter

Us showing that we improved and saying how we know this
Should be honest ... not what teacher wants
Should be evidence of actual thought done on subject
A good reflection letter shows with artifacts that the person achieved their goals
Make it clear that you have 2-4 artifact and what they are
Reason for making that an artifact is clear
The connection is clear
Long enough to get your point across
The person has to write why he or she thinks that he/she is a good citizen
State a clear opinion and how you came to arrive at that opinion

Purpose of the Artifacts for Citizenship

To show proof that the student has attempted to or actually achieved their goals
Demonstrate what is a good citizen, for example person helping another person with disabilities
Relate to your goal
Relay that you are becoming a better citizen by this artifact
Related to law class and what has been going on
Should show that the person achieved their goal
To make connections outside of class

Evaluation of the Artifacts for Citizenship

Are they truthful or are they just made up with no real foundation
I think that it is good to evaluate the kind of information in the news or pictures
They are related to your goal
Should be clear and related to the class
Physical artifact?
Graded for how well they showed progress toward the selected goals

Scoring Guide

Reflection Letter—Beyond a Reasonable Doubt **50 points**

___ **Purpose of the artifacts for citizenship (10)** Does the artifact show proof that the student has attempted to or actually achieved his/her goals? Do they demonstrate what is a good citizen, for example a person helping another person with disabilities? Does the artifact relate to the stated goals? Is there evidence of becoming a better citizen based on the artifact? Are there connections stated that link course content to the "real world"?

___ **Characteristics of a good reflection letter (30)** Does it show that the student improved? How is improvement supported? It is honest, or just what the teacher wants? Is it evidence of actual thought done on the subject? Does it show the artifacts that the person achieved their goals? Does it include 2-4 artifacts as required? Are the connections clear? Is it long enough to get the point across? Does the writer express why he/she thinks that he/she is a good citizen? Is that a clearly stated opinion and support for it?

___ **Evaluation of the artifacts (10)** Are the artifacts truthful or are they just made up with no real foundation? Does the artifact evaluate the kind of information in the news or pictures? Is it related to the stated goal? Is it clear and related to course content? Does it show progress toward the selected goals?

Figure 10.4. Translation of student-generated criteria into a scoring guide.

Jackie Johnson is an eighth-grade social studies teacher at Campus Middle School in Englewood, Colorado. As a member of the task force that drafted the state's model content standards in civics, Jackie felt committed to working towards those standards in her American studies classes. She suspected that her class did address the standards, but had never been that explicit about her outcomes. For the 1995-96 school year, she decided to adopt the model civics standards as the outcomes for her course; she analyzed her existing units to see which standards they address; made revisions to strengthen the instruction directed toward the standards; and developed new instructional experiences to address any deficiencies her analysis revealed.

A video on Jackie Johnson's portfolio project is available from SSEC.

Jackie also decided that a portfolio would be an excellent vehicle for helping her students connect their learning experiences with the standards and demonstrate their mastery of the standards. While Jackie had toyed with the idea of a citizen portfolio and resume the previous year, she had only tried it with an extracurricular activity (a Washington trip sponsored by the Close Up Foundation). Furthermore, she had not explicitly linked the project with her goals for what students would learn. Here is how Jackie described the purpose of the citizen portfolio/resume assessment to students and parents at the beginning of the school year:

> *The purpose of the citizen portfolio/resume is to help students become more reflective and self-directed regarding their development of citizenship skills and knowledge. To accomplish this goal, throughout the year students will select items from their social studies notebook and other sources of evidence of their learning in five civics/government content standards (see Figure 10.5).*
>
> *Throughout the year, students will be selecting and organizing portfolio entries from assignments that they have completed. A student-developed resume will summarize the knowledge and skills presented through evidence in the portfolio. While students will have a great deal of discretion regarding which work best illustrates their understanding, it is likely they will include analysis of cartoons, posters they have created, essays, videotapes of mock proceedings, and notes from field experiences.*
>
> *In May, students will have an opportunity to present their resumes and portfolios at an open house. This portfolio presentation process will encourage students, their parents, and other members of the community to have conversation about what students have learned throughout the year.*

As Jackie began implementing the assessment, she found that students needed guidance on how to choose items for their portfolios. She therefore directed students about which assignments to save and then provided directions (Figure 10.6) for how to prepare assignments for inclusion in the portfolios. Because Jackie's experience has led her to

© SSEC

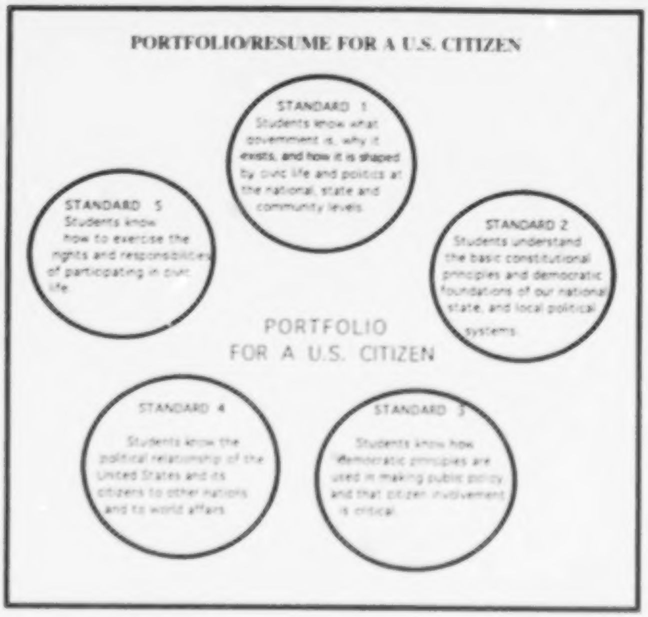
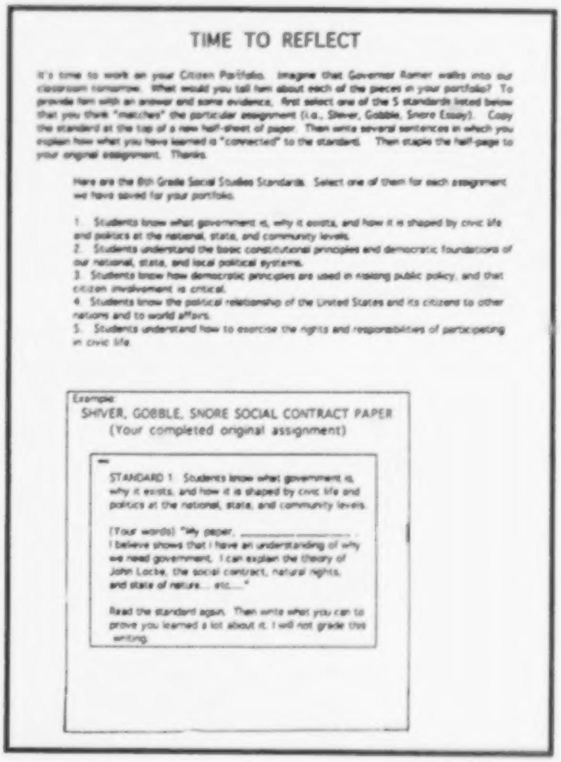

PORTFOLIO/RESUME FOR A U.S. CITIZEN
STANDARD 1 Students know what government is, why it exists, and how it is shaped by civic life and politics at the national, state and community levels.
STANDARD 5 Students know how to exercise the rights and responsibilities of participating in civic life.
STANDARD 2 Students understand the basic constitutional principles and democratic foundations of our national, state, and local political systems.
PORTFOLIO FOR A U.S. CITIZEN
STANDARD 4 Students know the political relationship of the United States and its citizens to other nations and to world affairs.
STANDARD 3 Students know how democratic principles are used in making public policy and that citizen involvement is critical.

Figure 10.5. Colorado civics standards.



TIME TO REFLECT

It's time to work on your Citizen Portfolio. Imagine that Governor Romer walks into our classroom tomorrow. What would you tell him about each of the pieces in your portfolio? To provide him with an answer and some evidence, first select one of the 5 standards listed below that you think "matches" the particular assignment (i.e., Shiver, Gobble, Snore Essay). Copy the standard at the top of a new half-sheet of paper. Then write several sentences in which you explain how what you have learned is "connected" to the standard. Then staple the half-page to your original assignment. Thanks.

Here are the 8th Grade Social Studies Standards. Select one of them for each assignment we have saved for your portfolio.

1. Students know what government is, why it exists, and how it is shaped by civic life and politics at the national, state, and community levels.
2. Students understand the basic constitutional principles and democratic foundations of our national, state, and local political systems.
3. Students know how democratic principles are used in making public policy, and that citizen involvement is critical.
4. Students know the political relationship of the United States and its citizens to other nations and to world affairs.
5. Students understand how to exercise the rights and responsibilities of participating in civic life.

Example:

SHIVER, GOBBLE, SNORE SOCIAL CONTRACT PAPER
(Your completed original assignment)

STANDARD 1 Students know what government is, why it exists, and how it is shaped by civic life and politics at the national, state, and community levels.

(Your words) "My paper, ______________, I believe shows that I have an understanding of why we need government. I can explain the theory of John Locke, the social contract, natural rights, and state of nature... etc...."

Read the standard again. Then write what you can to prove you learned a lot about it. I will not grade this writing.

Figure 10.6. Directions for preparing materials for inclusion in the Citizen Portfolio.

the conclusion that she cannot develop a workable rubric until she has seen student work, she had not developed a rubric for scoring the portfolios; she plans to use student work from this initial year of work with portfolios to develop a rubric for use in the subsequent year.

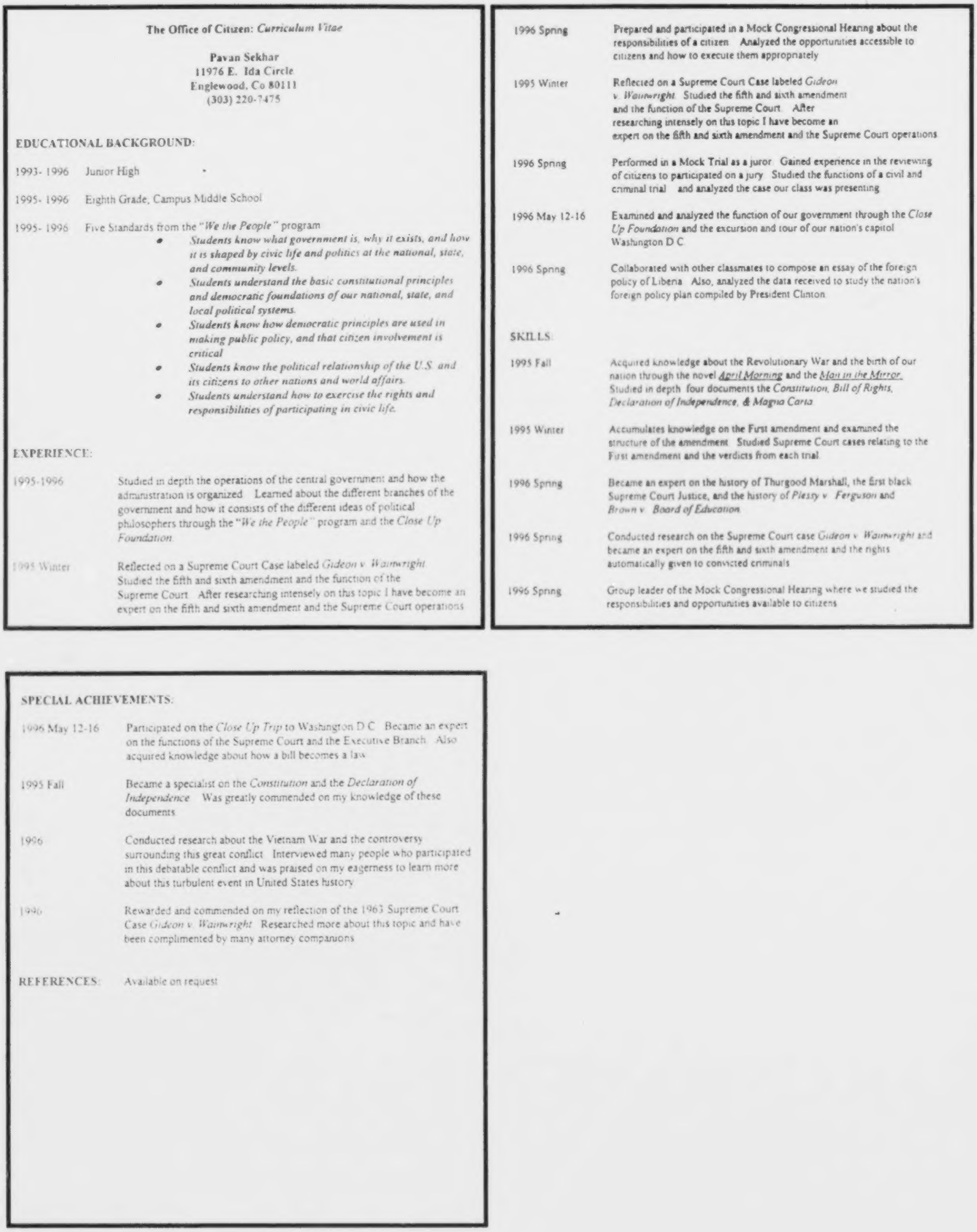
Near the end of the school year, project staff met with several students from Jackie's classes to discuss the portfolio project. While students did voice concerns about the amount of work that the portfolio involved, suggesting that the number of items included be limited, they also cited several benefits:

- "I was really impressed that I could think back to the beginning of the year and remember stuff I learned the very first day of school! Reflecting helped things stick in my mind."
- "I definitely became more reflective because of this assignment. I compared my reflections from the beginning of the year with my reflections at the end and I really improved. I felt good about that."
- "Using the standards as a way to organize our portfolios made it easier to reflect on what we learned. It gave us something to check ourselves against."

Figure 10.7 presents one student's resume, along with his reflections linking classroom assignments to one of the Colorado civics standards.

Reflection/Exercise

If you were in an assessment study group with Jackie Johnson, what questions would you ask her about the "Citizen Portfolio and Resume" assessment? What changes to the assessment would you suggest to make it a more useful assessment? How does the one sample of student work inform your thinking about the assessment? Could you use a similar assessment portfolio in your classes? How would you adapt the assessment to match the outcomes of your course?



The Office of Citizen: ***Curriculum Vitae***

Pavan Sekhar
11976 E. Ida Circle
Englewood, Co 80111
(303) 220-7475

EDUCATIONAL BACKGROUND:

1993- 1996	Junior High
1995- 1996	Eighth Grade, Campus Middle School
1995- 1996	Five Standards from the "*We the People*" program

- ***Students know what government is, why it exists, and how it is shaped by civic life and politics at the national, state, and community levels.***
- ***Students understand the basic constitutional principles and democratic foundations of our national, state, and local political systems.***
- ***Students know how democratic principles are used in making public policy, and that citizen involvement is critical***
- ***Students know the political relationship of the U.S. and its citizens to other nations and world affairs.***
- ***Students understand how to exercise the rights and responsibilities of participating in civic life.***

EXPERIENCE:

1995-1996	Studied in depth the operations of the central government and how the administration is organized Learned about the different branches of the government and how it consists of the different ideas of political philosophers through the "*We the People*" program and the *Close Up Foundation*.
1995 Winter	Reflected on a Supreme Court Case labeled *Gideon v. Wainwright* Studied the fifth and sixth amendment and the function of the Supreme Court After researching intensely on this topic I have become an expert on the fifth and sixth amendment and the Supreme Court operations
1996 Spring	Prepared and participated in a Mock Congressional Hearing about the responsibilities of a citizen Analyzed the opportunities accessible to citizens and how to execute them appropriately
1995 Winter	Reflected on a Supreme Court Case labeled *Gideon v. Wainwright* Studied the fifth and sixth amendment and the function of the Supreme Court After researching intensely on this topic I have become an expert on the fifth and sixth amendment and the Supreme Court operations
1996 Spring	Performed in a Mock Trial as a juror Gained experience in the reviewing of citizens to participated on a jury Studied the functions of a civil and criminal trial and analyzed the case our class was presenting
1996 May 12-16	Examined and analyzed the function of our government through the *Close Up Foundation* and the excursion and tour of our nation's capitol Washington D C
1996 Spring	Collaborated with other classmates to compose an essay of the foreign policy of Liberia Also, analyzed the data received to study the nation's foreign policy plan compiled by President Clinton

SKILLS:

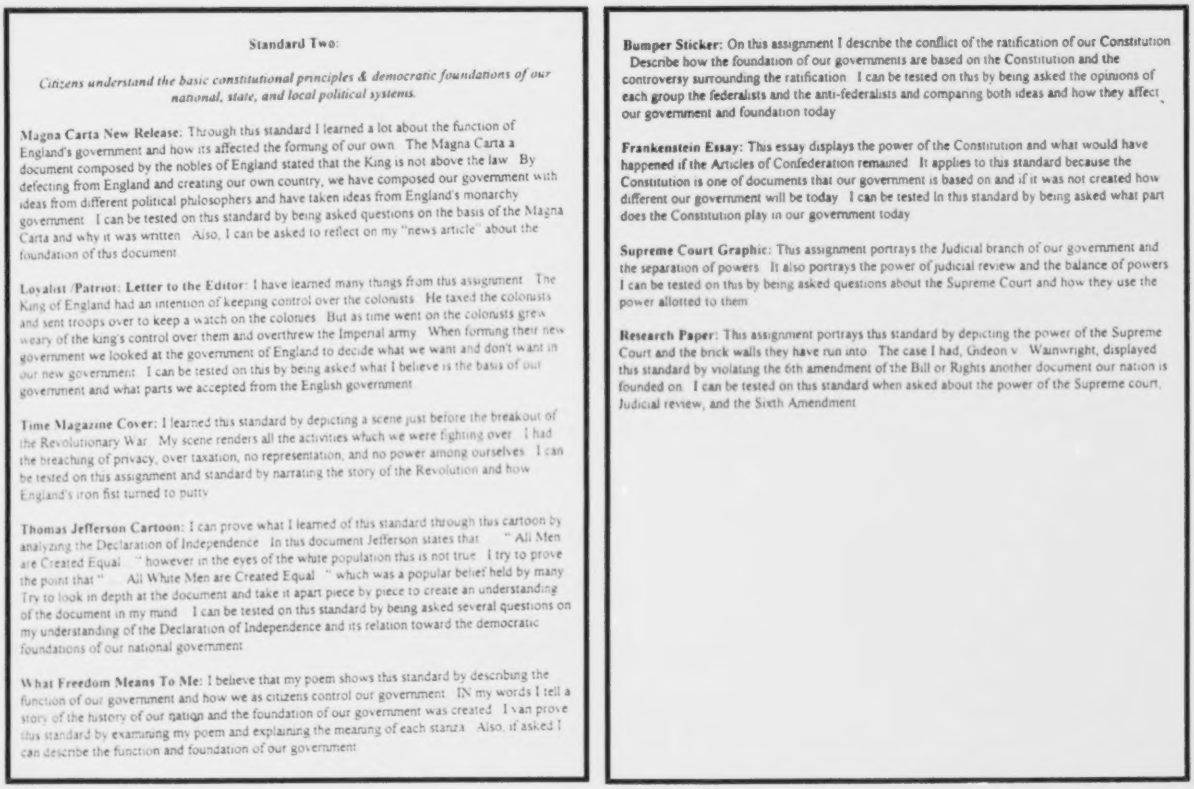
1995 Fall	Acquired knowledge about the Revolutionary War and the birth of our nation through the novel *April Morning* and the *Man in the Mirror.* Studied in depth four documents the *Constitution, Bill of Rights, Declaration of Independence, & Magna Carta*
1995 Winter	Accumulates knowledge on the First amendment and examined the structure of the amendment Studied Supreme Court cases relating to the First amendment and the verdicts from each trial
1996 Spring	Became an expert on the history of Thurgood Marshall, the first black Supreme Court Justice, and the history of *Plessy v. Ferguson* and *Brown v. Board of Education*
1996 Spring	Conducted research on the Supreme Court case *Gideon v. Wainwright* and became an expert on the fifth and sixth amendment and the rights automatically given to convicted criminals
1996 Spring	Group leader of the Mock Congressional Hearing where we studied the responsibilities and opportunities available to citizens

SPECIAL ACHIEVEMENTS:

1996 May 12-16	Participated on the *Close Up Trip* to Washington D C Became an expert on the functions of the Supreme Court and the Executive Branch Also acquired knowledge about how a bill becomes a law
1995 Fall	Became a specialist on the *Constitution* and the *Declaration of Independence* Was greatly commended on my knowledge of these documents
1996	Conducted research about the Vietnam War and the controversy surrounding this great conflict Interviewed many people who participated in this debatable conflict and was praised on my eagerness to learn more about this turbulent event in United States history
1996	Rewarded and commended on my reflection of the 1963 Supreme Court Case *Gideon v. Wainwright* Researched more about this topic and have been complimented by many attorney companions

REFERENCES: Available on request

Figure 10.7. Sample student resume and reflections.



Standard Two:

Citizens understand the basic constitutional principles & democratic foundations of our national, state, and local political systems.

Magna Carta New Release: Through this standard I learned a lot about the function of England's government and how its affected the forming of our own The Magna Carta a document composed by the nobles of England stated that the King is not above the law By defecting from England and creating our own country, we have composed our government with ideas from different political philosophers and have taken ideas from England's monarchy government I can be tested on this standard by being asked questions on the basis of the Magna Carta and why it was written Also, I can be asked to reflect on my "news article" about the foundation of this document

Loyalist /Patriot: Letter to the Editor: I have learned many things from this assignment The King of England had an intention of keeping control over the colonists He taxed the colonists and sent troops over to keep a watch on the colonies But as time went on the colonists grew weary of the king's control over them and overthrew the Imperial army When forming their new government we looked at the government of England to decide what we want and don't want in our new government I can be tested on this by being asked what I believe is the basis of our government and what parts we accepted from the English government

Time Magazine Cover: I learned this standard by depicting a scene just before the breakout of the Revolutionary War My scene renders all the activities which we were fighting over I had the breaching of privacy, over taxation, no representation, and no power among ourselves I can be tested on this assignment and standard by narrating the story of the Revolution and how England's iron fist turned to putty

Thomas Jefferson Cartoon: I can prove what I learned of this standard through this cartoon by analyzing the Declaration of Independence In this document Jefferson states that " All Men are Created Equal " however in the eyes of the white population this is not true I try to prove the point that " All White Men are Created Equal " which was a popular belief held by many Try to look in depth at the document and take it apart piece by piece to create an understanding of the document in my mind I can be tested on this standard by being asked several questions on my understanding of the Declaration of Independence and its relation toward the democratic foundations of our national government

What Freedom Means To Me: I believe that my poem shows this standard by describing the function of our government and how we as citizens control our government IN my words I tell a story of the history of our nation and the foundation of our government was created I van prove this standard by examining my poem and explaining the meaning of each stanza Also, if asked I can describe the function and foundation of our government

Bumper Sticker: On this assignment I describe the conflict of the ratification of our Constitution Describe how the foundation of our governments are based on the Constitution and the controversy surrounding the ratification I can be tested on this by being asked the opinions of each group the federalists and the anti-federalists and comparing both ideas and how they affect our government and foundation today

Frankenstein Essay: This essay displays the power of the Constitution and what would have happened if the Articles of Confederation remained It applies to this standard because the Constitution is one of documents that our government is based on and if it was not created how different our government will be today I can be tested in this standard by being asked what part does the Constitution play in our government today

Supreme Court Graphic: This assignment portrays the Judicial branch of our government and the separation of powers It also portrays the power of judicial review and the balance of powers I can be tested on this by being asked questions about the Supreme Court and how they use the power allotted to them

Research Paper: This assignment portrays this standard by depicting the power of the Supreme Court and the brick walls they have run into The case I had, Gideon v Wainwright, displayed this standard by violating the 6th amendment of the Bill or Rights another document our nation is founded on I can be tested on this standard when asked about the power of the Supreme court, Judicial review, and the Sixth Amendment

Figure 10.7. Cont'd.

Implementation: What to Expect

Getting started is perhaps the most difficult part of using portfolios. Start small and remember that the portfolio will be a unique reflection of your instructional goals. It is an opportunity to build into your instruction-assessment system the knowledge and skills you believe are most important.

The first step in planning to use portfolios in your classroom is to determine what your purposes are in implementing portfolios. These purposes may include one or several of the following:

- To promote students' self-reflection skills.
- To enhance students' motivation, responsibility, and ownership of their learning.
- To give students useful feedback on their attainment of important unit or course goals.
- To enhance communication with parents.
- To show growth over time.

- To show the process by which work is done, as well as final products.
- To illustrate how citizens apply thinking strategies to knowledge in making important decisions.
- To demonstrate the extent to which course/program outcomes have been met.

Next, think carefully about the goals or outcomes you want the students to address through their portfolios. These may include any combination of knowledge, thinking, behavior/action, and values-oriented goals. Describe your goals as clearly as you can. Specifying these goals more explicitly than you may previously have done may require that you rethink the instructional strategies and materials you will use to help students achieve these goals.

Decide how the portfolio will be used to track progress toward these goals. What tasks will you develop that will allow students to demonstrate progress toward the goals you have established. What kinds of work will be included in the portfolio? For example, some of the kinds of work that may be appropriate are:

- Student's best work.
- An unsuccessful piece of work, along with the student's analysis of the problem.
- Works that show evidence of progress and/or mastery.
- Written teacher observations about student work.
- Written teacher evaluations of student progress, products, performances.
- A "random" sample of student work.
- A discussion/analysis of the portfolio contents, including the student's self-assessments.
- Pieces that show work in progress.
- Works that represent cooperative efforts.

Each type of work may also take a variety of forms, including writing samples, videotapes, audiotapes, artwork, projects/products, and other forms.

At this point, you should be able to outline the general instructions you will give to students about the portfolio.

Reflection/Exercise

Stop here and go through the steps outlined above. Your goal should be to create a statement of the important goals and outcomes you want students to address through their portfolios, along with an outline of the work you believe will address those goals.

Based on the goals you have identified and the types of work you think will show progress toward those goals, develop criteria for evaluating the portfolio. Depending on your needs and purposes, this may include assessing the entire portfolio, individual entries, the portfolio presentation, or some combination of these. Use the criteria to develop a rubric for the portfolio, just as you would develop a rubric for another type of assessment. Make sure that your rubric clearly identifies what constitutes an exemplary portfolio.

When you reach this point, you will have the intellectual structure for using portfolios in your classroom. Next, you must consider some more practical questions. The next key question to address is who will select the pieces of work. Generally, student selection of work is most conducive to development of self-reflection, but you may want to have parents, peers, or school staff choose items as well. Conferencing on the reasons why student's own selections may differ from that of their parents, peers, or teachers may provide valuable insights.

A related question is who will manage the portfolio; that is, who provides the physical container, organizes the material, and the like. Again, while student management has benefits in terms of developing self-evaluation skills, you may have reasons for choosing a different option. As you think about the management issue, you may also want to consider any limits on size, storage issues, and the like that could arise. You may need to limit the number of pieces that a student can include in his/her portfolio, or the portfolios could take over your classroom!

Think through what is required on each work sample. You will likely want a date on each item, as well as the student's name (and possibly your own name and the class). Will you require a justification for including each item or another form of self-reflection for every item, or will self-reflection be required for only some items? Will you, a peer, or a parent provide reflections on all, some, or none of the items? What form will reflections take—checklists, journal entries, completion of open-ended sentences? Will they be written or oral (tape-recorded)?

When will you provide time for students to work on their portfolios and to conference with you, or others who will provide feedback? However you plan to use portfolios, they should be a central part of your course, not something that is hastily assembled to obtain credit or viewed as "just another assignment." Paying particular attention to conferencing is important. Conferencing is an important aspect of developing self-reflection, as it allows students to talk through their reasons for including various work samples in their portfolios. Conferencing can also be incredibly time consuming, however. One way to ease the time burden is to involve others in conferencing. Teachers at Black Mountain Middle School have involved parents and community persons in the conferencing process, both throughout the year and in the culminating activity.

© SSEC

Finally, you will need to plan a strategy for introducing portfolios to students. Initially, convincing students that assembling a portfolio is a worthwhile task may be challenging; therefore, careful thought should go into how to introduce the portfolio. Many teachers have found it useful to ask people who have professional portfolios, such as interior designers, artists, or writers, to share their portfolios and talk about how they decide what to include and the process of updating their portfolios or tailoring them to show specific skills or knowledge. Recognizing that portfolios serve a function in the "real" world can motivate students to take this task seriously.

Another strategy that teachers have found effective is to keep their own portfolios showing progress toward personal goals and to share those portfolios with the class. The goals may be related to the goals students are pursuing; for example, if students' portfolios are to show their readiness to hold the office of citizen, the teacher could keep a similar portfolio. On the other hand, the goals might be related to teaching—that is, your portfolio might demonstrate your growth as a civics teacher.

Of course, a key part of introducing the portfolio to students will be describing how the portfolio will demonstrate their progress toward important goals you have for the class, as well as sharing the criteria you will use to assess the portfolios. Explain to students that the products that go in the portfolio will represent evidence of their effort to meet goals.

A final caution: you may want to start small. You may find it best to start with a single focus and to start portfolios with only one class. Starting small will allow you to refine and improve your use of this tool with a manageable collection of materials to analyze. As you become more comfortable with your portfolio system, you can expand your focus and use the portfolio with more students.

A Word About Reflection

One realization that seems to be common to all the teachers we have talked to is that keeping portfolios encourages students to be more reflective. As Kathy Ratté's experience revealed, asking students to reflect on their strengths and weaknesses was one of the most important outcomes of using portfolios. Reflecting on the quality of one's work is an essential skill, but students do not develop the skill automatically. The ways in which teachers introduce the idea of reflection, structure reflection activities, and provide feedback can be critical to improving students' ability to assess their own work and make plans for future improvements. The following are a few "tips" for developing students' reflection skills.

Model reflection for your students. If you have a portfolio, use it to show students how you have reflected on and improved your own work. When events in the classroom cause you to rethink your approach to a particular assignment or lesson, tell students why you have changed your thinking. Use the "think aloud" procedure to show students how thinking about difficult concepts and problems involves assessing your own thinking and making corrections as you work.

Allow class time for reflection. If you tell students that you want them to be reflective but don't allow time for it, they will get the message that reflection is not really important to you.

Make reflection an ongoing process, rather than one that only happens at the end of a "big" classroom event or a grading period. Students can benefit from having time at the beginning of activities to think about what strengths they bring to the activity and what challenges they anticipate and then to reflect on their progress as they proceed through the learning experience.

When you introduce the process of reflection, give students some parameters for their thinking. Provide a workable definition of *reflection*. While you and your students may want to modify the definition as you become more experienced, it will give them a common starting point. For example, you might define *reflection* as thinking about what they are learning, how they are learning it, and how this new learning is connected to their previous learning.

The first few times students complete reflections, you may want to take them through a step-by-step process, illustrated with examples of what reflection looks like. Marylin Leinenbach, a middle school math teacher, found this to be critical when she implemented portfolios in her classes (Rafferty and Leinenbach 1996). Teachers who have worked with Giselle Martin-Kniep in New York have also found providing samples of thoughtful reflections to be useful. Students compare and analyze the samples to define the attributes of "good" reflection.

Providing good prompts for students to respond to can help focus their reflections on what and how they learned. Some ways that Steve Schumann, a project consultant, suggests structuring student reflections is to have them do the following:

1. Rate their own progress toward learning a specific/desired outcome.

2. Describe the difference between what they can do and should/could do.

3. Describe how they feel about the process of learning.

4. Describe what happened in the learning process that was affected by the learning context.

© SSEC

5. Indicate the level of commitment they have to the application of the skills learned.

6. Describe the strategies they used to learn specific outcomes.

7. Describe or plan what they need to do to meet the goals.

8. List/show what they believe represent their greatest accomplishments or areas of progress.

9. Describe how their thinking has changed over time.

10. Respond to the question: What advice do you have for your teacher?

While good prompts provide a structure that will help students get started with their reflections, good reflection activities are also flexible, allowing students to go in directions their learning/thinking takes them. If the activity is too highly structured, students will not have a sense of ownership of the reflection process and it will consequently become artificial and much less meaningful.

When responding to students' reflections, remember that the goal is to encourage students and help them become more reflective. Consequently, many teachers recommend grading reflections only on whether or not they are done. They discourage grading the content of the reflection or correcting it in any way. Some even suggest not using a red pen to provide feedback.

This position on assessing reflections is not universely held, however. Wendy Ewbank, an eighth-grade teacher at Madrona School in Edmonds, Washington, involves her students in a service learning project, called the Madrona Corps. Becoming more reflective is one of Wendy's outcomes for the project, and she has developed a rubric that she uses to communicate her expectations to students and to provide feedback (Figure 10.8).

Whichever position teachers take regarding assessing student reflections, they agree that the feedback provided is critical. Pat comments like "Very interesting" or "Good" are of very little help without some elaboration about what is good. Asking thought-provoking questions that will encourage students to think more deeply about issues they have already raised is perhaps the best form of feedback. Sharing some of your own reflections about your learning can also be useful in providing feedback to students.

Pitfalls and Challenges in Using Portfolios

As with any new assessment task and rubric, portfolios will not likely provide perfect results on first usage. Your first set of portfolios—or your first round of conferences with a class creating portfolios—should prompt reflection on your instruction, the portfolio directions you pro-

© SSEC

REFLECTION RUBRIC FOR MADRONA CORPS PROJECT

Level 4: Outstanding Achievement:

Content: Clearly demonstrates how the student's individual learning objectives were met. Educates the viewer/reader about the school/community being served through this project.

Modes of Presentation: Product effectively communicates the realities of the volunteer site; gives the reader/viewer an accurate "picture" of the people, duties, challenges and sucesses. Creative, innovative treatment of clientele and content.

Depth of Reflection: Demonstrates evidence of personal growth (i.e. self esteem, leadership, decision-making, conflict resolution), broadening of skill base and understanding of the organization and its mission. *Honestly* appraises strengths and weaknesses; offers suggestions for improvement of program (for self and others).

Level 3: Adequate Achievement:

Content: Demonstrates how most of the student's individual learning objectives were met. Gives some background information about the school/community being served through this project.

Mode of Presentation: Product effectively communicates the realities of the volunteer site; gives the reader/viewer an accurate "picture" of the people, duties, challenges and successes.

Depth of Reflection: Demonstrates evidence of personal growth, broadening of skill base and understanding of the organization and its mission. Honestly appraises strengths and weaknesses (of self and program).

Level 2: Rudimentary Achievement:

Content: Demonstrates how some of the student's learning objectives were met. Gives little or no background information about the school or community being served.

Mode of Presentation: Product does not convey a clear or accurate "picture" of the volunteer site (its people, student duties, challenges, etc.).

Depth of Reflection: Demonstrates little evidence of personal growth, broadening of student's skill base, or understanding of the organization and its mission.

Level 1: Minimal Achievement:

Content: Does not demonstrate whether the student's learning objectives were met. Gives no information about the school or community being served.

Mode of Presentation: Product gives a misleading picture of the the volunteer site; is difficult for reader/viewer to follow.

Depth of Reflection: Demonstrates no evidence of personal growth, broadening of student's skill base or understanding of the organization and its mission.

"Never Doubt that a small group of thoughtful, committed people can change the world. Indeed, it's the only thing that ever has."
—Margaret Mead

Learning Outcomes for Madrona Corps Students

Below is a list of what I am confident you will demonstrate for me by working as a Madrona Corps member. Many of the following learning outcomes should apply to your service learning project. Feel free to use these in completing/revising your **Learning Agreement.**

The students will *become more dependable*, as individuals will be counting on their help twice a month.

The students will *appreciate diversity more*, by working with different kinds of people with special needs.

The students will *improve their ability to make decisions*, by completing some challenging tasks and overcoming "job" frustrations.

The students will *enhance their leadership skills*, by supervising or planning activities for others.

The students will *enhance their public speaking ability* by addressing groups of people (kids, seniors, etc.).

The students will *increase their ability to collaborate and cooperate* by working together with adults and young people.

The students will *learn what it means to be a citizen—assuming social and civic responsibility*, by seeing that they can make a difference in their communities. This commitment to action will serve them and their communities well into the future!

The students will *improve their academic skills*, by thinking critically and applying skills to solve problems or help others solve them.

The students will *increase their own self eseteem* by seeing that they are valuable to others.

The students will *improve their ability to evaluate their own progress*, by preparing a reflection project twice this year—one due in January and one in June. (Keeping a journal is one of the best ways to continually reflect on your personal growth.)

"I challenge a new generation of young Americans to a season of service; to act on your idealism by helping trouble children, keeping company with those in need, reconnecting our torn community. There is much to be done."

—President Bill Clinton
Inaugural Address, Jan. 20, 1993

Suggestion for Journal Prompts you can use each time your write:

Being a volunteer at my site means…

What I would miss about being a Madrona Corps volunteer is…

One thing being a volunteer has taught me — about myself — is…

What it has taught me about others is

Reading to young children
Chatting with senior citizens
Supervising groups of little kids
Cleaning up in the community
Working with fellow students on a project
(or any other task you frequently are involved in)
is easy because…
is difficult because…

My biggest problem at the site this week was

My greatest success this week at the site was…

Things I like about Madrona Corps:

Other topics:

—Describe something you'd like to change in your community.

—Describe a conflict that occurred and how you handled it. Then come up with three other alternatives you could use to solve that same problem.

—Offer suggestions to make this same job a more meaningful experience. (Do not give me a cop-out answer like: "Change jobs!")

Figure 10.8. Wendy Ewbank's reflection rubric.

© SSEC

vided students, and the criteria with which you are working. Figure 10.9 lists some common problems teachers encounter in implementing portfolios, along with some strategies for improvement.

Some teachers have reported that students do not work hard on their portfolios unless the portfolios are graded. A strategy used to address this concern is creating opportunities for students to showcase their portfolios. Another strategy is to incorporate major tests in the portfolios.

The advantages of using portfolios are worth the initial work required to incorporate them into your class. Because designing and assembling a portfolio is a thought-provoking and creative process, it can be continuously modified and refined as your instructional goals change.

Portfolio Trouble-Shooting

Potential Problems	Strategies for Improvement
Portfolio has too many work samples	Reconsider portfolio purpose(s) Reconsider selection criteria Examine organization
Portfolio only contains worksheets	Expand variety of instructional activities and assessments Consider other storage options
Portfolio contains or resembles cumulative file	Examine definition and purpose of portfolio Consider philosophy of portfolio assessment as student-centered
Portfolio contents show no evidence of self-reflection	Examine definition and purpose of portfolio Have students participate in selection process Help students understand why samples are included
Student has more than one portfolio	Focus on coordination between teachers and programs
Portfolio contents show no evidence of feedback to students	Instructional goals and performance standards are clear and articulated Develop and use scoring rubrics
Students are not sure how to select portfolio pieces	Articulate portfolio purposes and selection criteria for contents Maintain student-teacher communication through conferencing Align instructional strategies with portfolio philosophy
Students are not sure what to do to meet academic goals	Maintain student-teacher communication through conferencing Align instructional strategies with portfolio philosophy Develop and use scoring rubrics
Teachers experience difficulty calculating grades	Consider options for determining grades based on portfolio contents Establish a grading policy that is aligned with portfolio assessment
Parents are concerned and/or confused about portfolios	Involve parents in decision-making Provide parent education on portfolios Involve parents in responding to portfolio contents
Teachers are overwhelmed and overworked	Implement portfolios gradually Provide staff development and planning opportunities Involve students in portfolio process Schedule portfolio assessment into daily class schedule
Portfolios pose a storage problem	Consider options; talk to others implementing portfolios Collect fewer work samples

Figure 10.9. Portfolio Trouble-Shooting.

Reference

Rafferty, Cathleen, and Marylin Leinenbach, "Blazing a Portfolio Trail—Without a Crystal Ball," *Middle School Journal* (September 1996), pp. 27-32.

© SSEC

Section III: Looking Ahead

Chapter 11: Issues and Challenges

Few teachers who have attempted to better align assessment with instruction and to make assessment more authentic would say that it is easy to achieve. In presenting workshops on authentic assessment in civic/law-related education, we always describe these efforts as hard work, requiring a high degree of teacher reflection. Occasionally, participants have come up to us after a workshop to chastise us for emphasizing the difficulty of the endeavor. "If teachers think it is so hard," we hear, "they won't try it."

Our project experience clearly contradicts these claims. Teachers want to improve their practice and are willing to work very hard to do so, thinking deeply about their outcomes and how those outcomes are linked to instruction and assessment, designing and piloting new lessons and assessments, examining student work to determine how a lesson or assessment might be improved, and so on. The teachers we have worked with recognize that there are challenges in every such effort and seek support and assistance from teaching colleagues and others in meeting those challenges.

Throughout this book, we have described issues and challenges teachers have confronted. In this chapter, we discuss some of the persistent challenges and issues not discussed earlier: aligning assessment with grading, reducing bias (whether language-, disability- or culture-based), finding the time to develop good assessment tasks and rubrics, and determining an appropriate role for students in assessment. We also examine three strategies that have been effective in helping project teachers become more reflective about their practice: study groups, teacher portfolios, and action research.

Linking Grades to Assessments: When, If, and How

Over the life of this project, some of the most animated discussions have had to do with the issue of grading. In the process of these discussions, strong cases were made and defended both for and against using authentic assessment data as the basis of grading. Many of the practices and questions that teachers brought to the project are reflected in case studies in this handbook. Regardless of the conclusions that teachers reach in answering the when, if, and how questions, it is clear that

© SSEC

all teachers recognize the necessity of grading and grapple with ways to make grades meaningful within the contexts of their schools and communities.

At one end of the continuum are teachers who carefully link grades and assessments by developing rubrics so that the levels of performance correlate with letter grades—Exemplary is A, Proficient is B, etc. Teachers who see rubrics as an overlay of their grading system often use a point system to provide gradation within a level of performance. Teachers who use this method find that the rubric is an effective means for communicating their grading contract to students. Students know what is expected for the grade they want. Rarely do students or parents call with questions about why a student received a particular grade. These teachers often use the rubric when they present students with the opportunity to revise and improve their work.

At the other end of this continuum are teachers who see the levels of performance as completely divorced from grades. For these teachers, exemplary represents a "Gold Medal" standard that motivates the best students to set goals for improving. Because they have set a very high standard for the top of the scale, they want a mechanism for giving students grades that reflect a high level of performance given their level of experience with a skill, the level of effort demonstrated, or improvement made. These teachers use exemplary to say "Keep working. You still have things to learn."

One of the strongest rationales for separating grades from levels of performance as spelled out in a rubric is the importance of effort. Technically, effort has no place in a rubric because it is not a quality that is observable within the product. A student may put forth a great deal of effort but still not perform up to the teacher's standard. The amount of effort put forward requires a judgment call that teachers and learners make based on a variety of factors. Yet many teachers want to recognize effort in giving grades.

The same is true of improvement. Improvement is reflected in a student's work over time, but it does not show up in the assessment of a particular piece of work. Thus, if grades are based completely on assessment results, improvement will not be highly rewarded. Again, many teachers want to recognize improvement in assigning grades.

Project consultant Giselle Martin-Kniep suggested that teachers think carefully about what degree of importance they want to assign to all of these aspects—performance, effort, and improvement—and other factors that may be important to them. A percentage of the grade can then be allotted to each of the important factors, and these percentages communicated to students. For example, one teacher might base 50 percent of the grade on performance, 25 percent on effort, and 25 percent on improvement, while another might base 80 percent of the grade on performance and 20 percent on effort.

Reflection/Exercise

Draw a pie chart that shows the weight you give to various factors in your current grading scheme. Do these weights accurately reflect what you value? What outcomes or goals of your teaching are not reflected in your grading plan? How could those outcomes or goals be assessed?

Reducing Bias

Project consultant Giselle Martin-Kniep reminded project teachers that all assessments, whether traditional or alternative, are biased in some way. Thus, she recommended that teachers use a variety of assessment tools to "spread the bias around." Combining traditional tests with a range of authentic assessment task reduces the overall bias of a teacher's assessment plan.

Of course, simply using a range of assessments is not adequate for ensuring that all students have the chance to succeed. Teachers who work with special populations of students are generally concerned about how they might use authentic assessment to improve opportunity for their students. Their goal is to use authentic assessments as a means for overcoming problems of bias and equality of opportunity that are inherent in many tests. Dilemmas related to adapting assessment are faced by teachers who are using civic education as a context for basic skill development as well as social studies teachers who are helping special needs students to learn content.

In both cases, teachers report that students are more successful when they have the opportunity to demonstrate understanding through strategies that allow for guided practice and self-expression. Mike Pezone, like many other teachers who work with special need students, appreciates the tendency of his special need students to develop an emotional involvement and personal connection to authentic assignments. He wishes that his more academic classes could develop some of these attributes. Like many other teachers who work with special need students, Mike believes that active learning and self-expression offer the best instruction for such students; he also believes that this type of learning deserves more formal assessment than it is often given.

Hands-on lessons and appropriate assessment also are important factors with teachers who work with non-native speakers of English. Susan Oliveto at Milwee Middle School in Longwood, Florida, and Ed Sugden, Fairfax High School in Los Angeles, are ESL teachers who attended an assessment workshop sponsored by the Constitutional

Rights Foundation-Chicago. They provide a case study in how authentic assessment can serve the needs of students who are learning civics and English at the same time.

Susan and Ed's work began with concern about the conceptual density and complexity of social studies terms. They knew that it was not realistic for students to master all the new words they encountered in their social studies text. Nor were they satisfied with a low-level recall test in which students completed a fill-in-the-blank exercise. Based on their interest in establishing high expectations for their students, they enhanced one of the basic ESL goals that students will "learn new vocabulary" with an outcome that asks students to "demonstrate ownership" of five key civics vocabulary words for each unit of *It's Yours: The Bill of Rights*, a curriculum developed by CRF. Susan and Ed established strong indicators for what success would be for their students: correct context, correct form, use of the word in class writing and skits and in conversation inside and beyond the classroom. In their plan, instruction includes direct teaching, student-constructed pictures, reading and writing exercises involving case studies about rights, and student-written and produced skits in which students demonstrate key Supreme Court cases using the five words they have learned. Their assessment strategy involves asking students to help them develop criteria and evidence for proving to themselves and their teacher that they truly "own" the words. These teachers are also experimenting with a "vocabulary portfolio" that would be developed over the year and would be used by peers.

The springboard for developing the assessment was analysis of role plays illustrating First Amendment rights prepared and videotaped by Jauquin Gongora, a teacher in Cicero, Illinois. In the videotape, the students demonstrated their understanding of the right to protest. A closer analysis illustrated that the opportunity to present their understanding of rights through a skit provided the teacher with information about immigrant experiences with the U.S. justice system. The content of one of the skits revealed a family experience with the justice system that reflected either a lack of justice or a misperception of how the system works. In this case, the skit (an instructional activity) also served as an assessment opportunity in which the teacher could diagnose and target future instruction to civics content of particular relevance to the students and their families.

The work of teachers in this project indicate that students with special needs can benefit from use of assessment strategies designed to capture a wider array of what students know and are able to do.

© SSEC

Reflection/Exercise

Think about one of your current assessments. Do students who do not do well on this assessment share any characteristics that might make it difficult for them to succeed, even if they have the knowledge required by the assessment? How might the assessment be adapted to allow more students to succeed?

Finding Time for Authentic Assessment

Developing authentic tasks that are aligned with outcomes and instruction and for which standards have been clearly and explicitly stated takes time. Time was the challenge cited most often by teachers in our project. Yet, a close analysis of the time spent by teachers in this project indicates that while more time is needed for some tasks, time spent in other ways is reduced. Generally speaking, teachers spend a great deal of time designing rubrics and articulating the outcomes to students. They spend less time clarifying assignments and less time scoring student work—because many of them assigned time-consuming essays rather than multiple-choice tests even before becoming involved in this effort.

Giselle Martin-Kniep reminded project teachers that more time is not necessarily time well spent. A detailed rubric does **not** need to be developed for every task students complete; often, a simple checklist or less elaborate scoring guide is sufficient. Major effort should be reserved for major assessments—those that assess important outcomes or that will be used more than once during a course, for example.

A major time hurdle that sometimes arose for teachers was discovering through careful analysis of outcomes, instruction, and assessment that a favorite activity, while engaging to students, was not defensible because it did not address an important outcome. Such a discovery prompted the need to develop new units or lessons. Such was also the case when teachers realized that they did not provide instruction in some of the skills needed to perform successfully on a particular assessment task; this realization required designing instruction on the neglected skills or modifying the assessment so these skills were not critical to its successful completion.

The challenge of time is not one that can be easily dismissed. A focus on what assessment practices result in the greatest gains in learning will help teachers decide when time is well spent and when it is not.

Involving students in the assessment process has the benefits of encouraging them to internalize standards for high quality performance and to become reflective about their own learning and work. These qualities that can be developed through self-evaluation are desirable not only in students, but in citizens.

Amy Swenson, a teacher at Mundelein High School in Illinois, was disappointed with students' responses to her initial attempts to use rubrics with them. Despite her efforts to introduce the rubrics to students, their understanding of the criteria never seemed to be aligned with her own. Thus, she decided to involve students in the process of actually creating the rubrics, hoping they would take greater responsibility for their own learning and become better able to evaluate their own work. Here is how she describes her experience.

My first attempt at getting my students more involved was awkward. I knew where I wanted my kids to end up, but I wasn't sure how to get them there. I decided to start by having my students describe a specific performance that was representative of quality work. My students began by brainstorming the characteristics of an effective group. This was a very concrete step for kids—all of the students had worked in groups before and had some knowledge regarding the effectiveness of group interaction. From this brainstorm, the students categorized the list into the three most important skills in order for a group to be successful. From here, we constructed "T-charts" that defined those skills according to what they looked like and by what they sounded like. We focused on one skill at a time and then used the students' descriptors as a group evaluation to see if everyone in the group did what they needed to do to make their group effective. I saved the overheads of their descriptors; whenever they needed to practice a skill, I put the overhead up during a group session and used the descriptors as a debrief.

I drew on this experience to get students to generate a list that would describe the characteristics of an effective presentation. I consolidated the descriptors ftom all of my classes into one list. It was at this time that I had a momentary lapse of sanity. I decided that I would ask for student input in determining which of these characteristics they should be graded on. This was very scary for me as a teacher. I felt as though I were forfeiting my control over them and that it would be difficult for me to regain my "edge" now that they had tasted "freedom." What if they did not choose to be graded on anything of substance?

I am happy to say that my worst fears were never realized. My students decided that they should be graded on the content of the speech, the effectiveness of the presentation, and the organization of the material. I couldn't have chosen any better had I done it myself and my students felt empowered because they had a voice in the classroom, and that voice had been heard. Students also decided to evaluate each *other on presentation skills. They developed a rubric that helped them provide constructive feedback on individual performances.*

The class presentations were excellent and were much improved over previous presentations. Students were much more conscious of what they were doing and of what they needed to do.

I strongly believe that we as teachers need to bring students into the process. Involving students in the process of creating the standards by which their feedback will be evaluated will not make everyone in the class participate. There will still be those students who refuse to do the work or who do not know where to begin. By involving students, however, you will be helping those students who are there to learn and you will be better able to recognize those students who really want to produce quality work but do not know where to begin and so are afraid to try.

My students have told me repeatedly that they like having a say in the classroom and they feel as if their opinions have merit and were listened to. At first, they were reluctant to voice their ideas. They didn't trust me to listen; they didn't think it would make any difference. This was new! The conversations I have had with my kids about what a certain aspect of quality looks like have been amazing. They are vested in the dialogue because they are defining the parameters of their performance.

Of course, involving students in creating rubrics also takes time. As Lisa Partridge of David Douglas High School in Oregon points out, "I do think it is a good idea to involve students in the process of designing an assessment; however, it would be difficult to do everytime a new assessment is coming up in class. As teachers, we're juggling so many balls in the air, sometimes there is a huge benefit in just using an assessment that has been developed previously." Again, Giselle's admonition to put the greatest effort into the most important assessments is relevant.

Creating rubrics is not the only way to involve students in assessment. Many teachers have also found that peer evaluation can be a useful strategy, helping students internalize the standards and serving as a bridge between teacher evaluation and self-evaluation. Harry Willnus of Romulus High School in Michigan asks students to evaluate the performance of justices in a moot court. Here is Harry's thinking:

My purpose for involving students as evaluators of the performance of the justices in the moot court was that I wanted those who were watching the moot court to be more actively involved. The rubric made it very clear to performers what needed to be done to rate a strong performance; likewise, the observers knew what they needed to do....In time, all of us become evaluators every day of our lives in one way or another. I'm not at all uncomfortable with allowing students to evaluate each other. Student reaction was positive: "I found out that I really paid

© SSEC

attention. I had to because I was grading the justices. Grading the justices made me feel as if my opinion really counted."

Wendy Ewbank of Madrona School in Washington pointed out other advantages of having students evaluate their peers:

> *If students are involved in the assessment process, the standards for exemplary achievement will become much clearer to them. In addition, they will be given more responsibility for their own learning, and that of their peers. The assessment will then become a teaching tool in itself. The only drawback is time....The more people brought into the evlauation process, the more time it takes to prepare them to score and to monitor their fairness. It does, however, tell you as a teacher whether your assessment is subjective.*

Of course, there can be difficulties in peer evaluation. Fairly judging the work of friends or "enemies" can be a difficult task for adolescents. For students to be effective peer evaluators, time must be spent developing a common understanding of the levels of performance, as well as a climate of trust in which students can provide constructive feedback in a supportive manner.

For some teachers, thinking deeply about the purposes of assessments also cast new light on strategies for involving students in reflecting on how they can do better on traditional tests as well. By taking time to consider why they missed particular questions, students diagnosed their own problems. Questions for students to consider included: Did I understand the question? Did I understand the vocabulary? Was I careless in reading the question? Did I not know the factual material?

For all the teachers who found involving students more actively in assessment rewarding, the key seemed to be increasing students' evaluative skills, including their self-assessment skills. Such skills are critical to citizenship and thus, for many teachers, were worth the effort required to draw students into the process.

Reflection/Exercise

What hesitations do you have about involving students more actively in assessment? How could you guard against possible problems? How might you gather information that would help you determine whether involving students more actively had positive results on learning?

© SSEC

Reflective practice and *reflective teachers* have been the subjects of numerous articles, papers, and books in the past 15 years. In our experience, however, it is easier to write about reflection than to do it. Reflection requires thinking of oneself as a learner and one's curriculum as constantly evolving. Elements of reflection include questioning the assumptions on which our practice rests, examining our students' work for evidence of not only their learning but of the effectiveness of our teaching, making decisions about what strategies to use in particular teaching situations and contexts and then evaluating those decisions and the reasons for them, reexamining our goals and outcomes. All of these aspects of reflection require hard intellectual work that most of us have too little practice doing, too little time in which to do it, and too few tools or supports to help us in the process.

Teachers in our project found three strategies helpful in developing the habits of reflection. Not every teacher found every strategy helpful, but most teachers found at least one of these methods helpful in developing a habit of reflection. Below, we describe each of these three strategies—study groups, teacher portfolios, and action research. The descriptions are brief and not intended to serve as directions for using the strategies. Rather, we hope to pique your interest in learning more about one or more of these strategies.

"Friends of John and Ginny": A Study Group in Action

Traditional types of staff development are not necessarily conducive to development of authentic assessments that are linked to outcomes and instruction. Positive results are most likely to occur when teachers make a commitment to systematically working on assessments and instruction over a period of time. A staff development model that seemed to match the needs of teachers working on this innovation is the study group.

A study group is a small cadre of teachers with one or more common interests who meet regularly to solve problems and extend their understanding of the topic or issue under study. Study groups may undertake a variety of activities, including reading and discussion of common texts; collaboratively solving problems that have arisen in members' classrooms as they have implemented a new approach; and cooperative conduct of action research projects in which group members study the effect of new approaches on learning. Study groups make possible sustained collaboration and encourage teachers to engage in the kind of reflection and dialogue that leads to real change.

Several teachers in the project participated in some type of study group as a form of teacher-to-teacher staff development that they designed to meet their needs. Participants in several such groups agreed that the accountability factor of regular meetings with a core membership was a key factor in their perseverance with this reform. An impending meeting with respected colleagues was termed a "trigger" and a "focus" for persevering with a new student assessment or revising an assessment that had been shared previously with the group, in order to get further feedback. Similarly, the regularity of study group meetings encouraged individual members to develop and internalize reflective practice. The periodic challenge of developing, implementing, and sharing results of authentic assessments with peers pushed the teachers to continually analyze their own teaching and be able to articulate the link between outcomes, teaching, and a particular assessment—something they felt they would not have had to do otherwise.

One of the more successful study group experiences took place in Boulder, Colorado, where John Zola and Ginny Jones organized a study group around their shared interest in discussion. Both teachers invited colleagues from their respective school districts (Boulder Valley and St. Vrain) whom they knew were interested in a more systematic approach to discussion. The ten teachers who accepted their invitation met monthly from October through March from 5-7:30 p.m. to participate in three different types of discussions, to talk about issues related to taking what had been learned to their classrooms, and to exchange ideas about how to assess the outcomes of classroom discussion. At some meetings, teachers brought video- and audiotapes from their classrooms to illustrate some of the issues they were seeking to address. They also borrowed work they considered exemplary from colleagues to show students in their classroom.

In reflecting on their experience in organizing a study group, John and Ginny identified factors that contributed to the group's success, which could serve as tips for others considering this approach to staff development:

Environment:

- The group had a common concern on an authentic topic and accepted norms—to develop habits of work by thinking critically about their own practice and, when asked to do so, to take the role of a "critical friend" in helping others to think through issues.
- Group members viewed themselves as a network through which ideas, materials, and support flowed.
- There was an atmosphere of trust and openness to new ideas.
- Participants reflected a range of experiences and concerns—middle and high school levels, student teachers, new and experienced teachers, and a curriculum coordinator.

Logistics:

- Meeting once a month for 2-1/2 hours seemed like a reasonable amount of time.
- An early evening meeting time with substantial food was workable.
- Presetting an agenda for a series of meetings helped keep the group focused, although flexibility within the agenda was also important.
- Establishing expectations for work to take place beyond the meetings (trying various types of discussion in the classroom) was helpful in keeping participants moving forward in their work.

Incentives:

- Food, materials duplication, and a monthly stipend of $25 (they felt that this was nice but not necessary) were seen as incentives to participate, although the greatest incentive was the chance to engage with colleagues in high-level professional conversations.

Facilitation:

- Neither John nor Ginny wanted to fill the facilitator role because they felt that such a role would interfere with their participation as a learner. They appreciated the role of SSEC staff and used the analogy of a "personal trainer" to describe what they wanted from a facilitator. In this case, the facilitators helped individuals and the group to follow through on what they said they wanted to do (sent reminders of meetings, arranged for food and meeting space, followed up with mailings of materials as requested, observed or cotaught lessons, asked "hard" questions), setting high but flexible expectations.

Teacher Portfolios

As we collected feedback from teachers on the effectiveness of using portfolios with their students, we began to wonder if portfolios could be useful to the teachers in our project and decided to give them a try. At a project writing conference in February 1995, teachers were asked to begin keeping portfolios that they would share with project colleagues at a "think tank" to be held that summer. The portfolio was to be a collection of work that addressed the question: Where am I as an authentic assessor? The directions for keeping the portfolio are shown in Figure 11.1. The criteria teachers were to use in thinking about where they were as an authentic assessor were embodied in a constantly evolving project-developed rubric that looked as shown in Figure 11.2 in 1995.

© SSEC

PORTFOLIO ASSIGNMENT

Your portfolio should reflect where you are as an authentic assessor and should include the following items.

1. One or two assessment (tasks and scoring rubrics) that represent your best work. Include samples of student work and the feedback that you gave students.

2. An assessment that has been through several stages or revisions, along with your reflections on how and why you changed it.

3. An assessment that you tried for the first time this semester, along with comments on whether you would use it again and, if so, how you would revise it.

4. An assessment that you found frustrating or dissatisfying, along with your comments on why this assessment caused problems for you and/or your students.

5. A journal-style entry or essay following each study group meting reflecting on some aspect of your practice related to topics/issues discussed in the meeting.

Figure 11.1. Assignment for "Where am I as an authentic assessor? portfolio.

Criteria for Authentic Assessment in Civic Education

		Exemplary	**Satisfactory**	**In Progress**
Content	Fundamental civic/LRE[1] knowledge and skills are addressed	Stakeholders see link between the activity and fundamental civic/LRE knowledge and skills	Evidence of activity link between fundamental civic/LRE and knowledge and skills	Engaging activity but not clearly linked to fundamental civic/LRE knowledge and skills
Instruction	Instruction is authentic	Stakeholders see the relationship between instruction, activity and civic life Address Newmann's criteria	Evidence of link to instruction to activity and civic life	Attempt to link instruction to activity, and civic life
Context	Fits the context in which you teach	Others see the value of what you are doing and join in	Meets district expectations and student needs and is manageable	Assessment may be valuable elsewhere but needs adaptation for use in your classroom
Assessment	Assessment design is effective	Stakeholders see evidence of improved instruction and student learning	Criteria taught to students followed by coaching clarity regarding expectations Levels of performance stated qualitatively	Broad levels of performance described. Assessment criteria still need clarification
Reflection	Strengths and limitations of instruction and assessment are recognized	Able to use feedback from colleagues and experts regarding strengths and limitations of instruction and assessment. Performance measures are more reliable and valid. A variety of measures used.	Able to use feedback from students regarding strengths and limitations of instruction and assessment.	Beginning to match assessment with instruction. Primarily reliant on traditional measures

[1] standards available on LRE, civics, and social studies
[2] students, parents, colleagues, experts, teachers

Figure 11.2. Project rubric for assessing progress in improving assessment.

© SSEC

When the teachers returned for the summer think tank, they wrote "Dear Reader" letters about their portfolios; the letters were to address three questions:

- How did keeping the portfolio help you think in new ways about yourself as an authentic assessor (or more generally as a teacher)?
- What did you pick to represent your best work? Why did you pick that example?
- What problem or issue regarding instruction and assessment are you still working on? How did this problem or issue come to be of interest to you?

Based on these letters, other participants signed up to attend portfolio conferences to which they thought they had the most to contribute or from which they could learn the most. Each teacher had an hour for the conference, at which a group of five or six other teachers, staff, consultants, and state coordinators acted as critical friends. Following the think tank, staff sent the teachers detailed feedback on their portfolios.

When asked about the benefits of keeping the portfolios, teachers most often responded that keeping the portfolio forced them to reflect on their work. Others said that it caused them to be better organized and to think things through. For several teachers, getting honest feedback, as well as affirmation, at the portfolio conference was more important than the process of keeping the portfolio. At least one teacher reported that keeping a portfolio himself encouraged him to use this assessment tool with his students.

The most common problem with keeping a portfolio was time. Finding time to write reflections, organize new and old tasks and rubrics, and organize the portfolio was difficult, given the competing demands on teachers' time. Despite the time demands, about half the teachers we asked said they would probably continue keeping a portfolio as a tool for reflection and continuous self-improvement.

Action Research

Action research is the process of collecting data about an ongoing system with the purpose of improving practice. What does that mean when applied to teaching? It simply means that teachers systematically gather and analyze information that will help them evaluate and improve their teaching. Action research can be conducted by a single teacher, by several teachers working together in a study group, or by an entire school faculty.

When action research is conducted by a single teacher, the teacher "defines an area or problem of interest in classroom management, instructional strategies or materials, or students' cognitive or social behavior. The teacher then seeks solutions to the problem" (Calhoun 1993) by collecting and analyzing data. The data used may be quantitative; for example, the teacher might analyze test scores from two classes in which different teaching approaches were used to see which approach produced greater gains in knowledge or skills. The data used may also be qualitative—classroom observations, student comments, and the like. When the data has been analyzed, the teacher interprets the data, deciding what changes in practice are in order based on the data.

When action research was introduced to teachers in our project, many found it to be an intimidating prospect. Others felt it was simply an approach to making what they have always done—analyzing the results of their teaching and making appropriate changes—more systematic. The experiences of teachers who did try action research projects help illustrate the process.

Dan May, a high school teacher in O'Fallon, Illinois, uses discussion strategies frequently in his classroom but had not gotten much student feedback on the strategies he was using. He was interested in finding out whether participation in discussion was related to such other factors as gender, grades, and self-concept. He decided to collect data on these questions by administering a survey to students. The survey included such questions as:

In general, who is a female teacher more likely to select to answer a question?

A. Females
B. Males
C. No difference

To what extent does your willingness to respond to questions depend on the atmosphere generated by your classmates?

A. A lot
B. A little
C. None

Is your participation in class discussions affected by how others have reaced to your responses in past situations. Please write a sentence to explain your response.

A. Yes
B. No
C. Sometimes

When Dan analyzed the results, he found some interesting differences between males and females, as well as among students who performed at different levels. He was not sure, however, how to use the results. When he presented his results at a project meeting, other teachers suggested that he follow up the survey (which some teachers suggested could be prejudiced by the fact that students knew they were completing it for a male teacher) by having someone observe his classroom, generating data about who volunteered most often, which students Dan most often called on, how students responded to each other's comments, and the like. Such data could help Dan interpret the

© SSEC

survey results and would be more easily translatable into improvements in teaching. Such classroom observations could be the next step of Dan's research.

Amy Swenson of Mundelein High School also took on an action research project when she began experimenting with having students be involved in developing rubrics. She wanted to know what the effects of involving students in this way would be, both in terms of student performance and in terms of how they felt about the process. She decided to look at two types of data: students' grades and student comments. Here are Amy's comments on her findings:

> *Those students who are A/B students in the class are generally positive about being involved in the creation of the rubrics or checklists that are used to evaluate their performances. They find value in these exercises because they have realized how this process helps them in producing works of quality. Those students who are D/F students find little or no value in the process. But most were honest enough to admit, "I did not do the assignment so it didn't help me" or "I never looked at it so it was a waste of time." My preliminary results tell me that those kids who came to class prepared, who did the assignments, and who were involved in the discussions regarding the standards were able to produce quality work. I base this hypothesis on the fact that this year I have given very few Cs. My students either did very well, or they didn't do the work at all. The students who earned below average grades this year did so for two reasons—high absenteeism and failure to complete assignments.*

It is interesting that Amy refers to her findings as a "hypothesis," illustrating that what you learn from one action research project suggests directions for additional research. Amy continues to gather and analyze data about her students' performance to gain insight into the effectiveness of her approaches to instruction and assessment.

Reflection/Exercise

Of the three strategies described above—study groups, teacher portfolios, and action research—which sounds most promising to you? What more would you need to know in order to decide whether you wanted to try such a strategy? Outline a plan for implementing a strategy that will help you to become more reflective about your work. Share your plan with colleagues and enlist their participation.

A Work in Progress

This book, like teachers' efforts to improve and better link assessment and instruction, is a work in progress. We began the book by asking readers to imagine the ideal high school graduate. We close by asking you to imagine a classroom in which outcomes are clear and clearly supported by a closely linked plan for instruction and assessment. The work in which students are engaged is characterized by rigor, thought, self-expression, and authenticity—and students are truly engaged, stimulated and excited about what they are learning, about the opportunity to "express their originality in their work," and about the clear connections between classroom experiences, their own life experiences, and the requirements of the real world (Geocaris 1997). The teachers' stories presented in this handbook are stories of hard, sometimes inspired work to move toward that imagined classroom. As we continue this work in progress, we invite users of this handbook to share their stories with us.

Reference

Calhoun, Emily F., "Action Research: Three Approaches," *Educational Leadership* (October 1993), pp. 62-65.

Geocaris, Claudia, "Increasing Student Engagement: A Mystery Solved," *Educational Leadership* (January 1997), pp. 72-75.

© SSEC

Appendix: Teacher Profiles

This appendix presents profiles of many of the teachers who are featured throughout this book. The profiles are intended to give you a better sense of the contexts in which the teachers work. In addition, some of the profiles include background on teachers' course outlines or approaches that may be useful in thinking about identifying essential learnings in civic/law-related education.

Kathy Bell

Kathy Bell is Director of Instruction for International Studies at Mundelein High School. She has been a classroom teacher for 27 years and since 1991, the divisional supervisor for Social Studies and Foreign Language teachers at MHS. Kathy teaches Criminal Law and Individual Rights and Civil Law and Civil Liberties, one-semester law electives, as well as U.S. History at MHS. She also coaches the MHS mock trial team. As Director of Instruction, she coordinates curriculum writing, staff development, and supervises teachers. Kathy has conducted teacher-training workshops for the Constitutional Rights Foundation.

Kathy teaches an Introduction to Law course designed to provide learning opportunities from which students draw insights that they can use to demonstrate their understanding of important principles of American law and legal system. The course goals include:

- Providing students with a practical understanding of law and the legal system useful to them in their everyday lives.
- Improving students' understanding of the fundamental principles and values underlying the U.S. Constitution, laws, and legal system.
- Promoting students' awareness of current legal issues and law-related controversies.
- Encouraging student participation as effective citizens in the legal system.
- Bringing about a greater sense of justice, tolerance, and fairness in students' dealings with others.

- Developing students' willingness and ability to resolve disputes through informal and, where necessary, formal mechanisms.
- Improving students' skills of critical thinking and reasoning, communication, observation, and problem-solving.
- Improving students' understanding of the roles that lawyers, law enforcement officers, and others play in the legal system.

Kathy takes an activity-oriented approach to the course, involving students in mock trials, writing and analyzing laws and legal processes, reading/writing case studies, and interacting with representatives of the legal community. The questions students address in the course's four units are:

- Unit I: What is the structure and function of American law?

  What is law? How are laws made? Can they be changed? Where do laws come from? How do laws protect our rights? What, if any, are the limits of law?

- Unit II: What is the role of law in settling civil disputes in a diverse society?

  What happens when a group or individual feels that his/her or their rights have been violated? What, if any, methods exist to resolve civil disputes? Do you always have to go to court? What happens when your family's religious beliefs or cultural beliefs conflict with the U.S. law? Is our legal system like that of other countries? Do you have rights as a member of your family under law? Do you also have legal responsibilities? What determines if a case is civil or criminal?

- Unit III: What is the role of law when a legal action is brought by the government against a person charged with committing a crime?

  For what conduct or behavior does our society punish someone? What causes crime? Do victims have rights? What rights do you have if you are accused of a crime? What are your rights when you are a minor? Are you ever treated as an adult for a crime committed while a minor? Under what circumstances can the police search your house? your car? you? When do you need a lawyer? How does a judge conduct a trial? Do you have to serve on a jury if you are chosen? What is it like in prison? Do the guilty ever go free? What if you are an attorney and you know your client is guilty? Do you defend him or her anyway? Should the death penalty be imposed on a teenager, or anyone, for that matter?

- Unit 4: What is the role of law in regard to individual rights and liberties?

  What rights are guaranteed in the First Amendment? Are there limits to freedom of speech, religion, and/or expression? What does the right to privacy, due process, and equal

© SSEC

> protection mean under the law? How are our individual liberties alike or different from those in other cultures? What is the role of the justices on the Supreme Court? Do they ever change their minds? How do their decisions affect you?

For the past several school years, Kathy has devoted a great deal of effort to improving assessment in all her classes. Reflecting on the work she has done, she expresses a sentiment many of our teachers would concur with: "no matter what I do in the name of better assessment, there always seem to be more questions than answers."

Larry Black

Larry Black has been teaching for 23 years and has been involved in a variety of activities during that time. He is presently teaching at Sam Barlow High School, in Gresham, Oregon, where he has been for 13 years.

Larry has coached the Barlow High School Mock Trial team, winning the state championship in 1991. His teaching responsibilities include Global Studies, Political Studies, and Street Law. Larry's students participate in many simulations that allow them to experience "real-world" events. Larry has also acted as a mentor teacher at Barlow High School and has been involved with curriculum development and scheduling. He has made several presentations of LRE-related material to groups in the state.

Larry has coached football, basketball, baseball, and softball at the high school level and also has been a junior college head basketball coach and an assistant basketball coach at the four-year collegiate level.

Greg Clevenger

Greg Clevenger currently teaches seventh-grade geography and eighth-grade U.S. history at Van Hoosen Middle School in Rochester, Michigan.

Greg's experience in law-related education first began in 1979 when he attended the University of Detroit Law School in order to pilot a Practical Law course at Rochester Adams High School. Practical Law at Adams became the single largest social studies elective in the state of Michigan, as some 450 students, grades 10-12, opted to take the 20-week class. The popularity of Practical Law led Adams High School to create Michigan's first student court.

Greg's authentic assessment experience in LRE includes work with mock trials, moot courts, scored public discussions, and persuasive letter writing to public officials.

Nancy Deese

Nancy Deese is the Instructional Coordinator for Social Studies, Foreign Language and Art at Naperville North High School in Naperville, Illinois. She has spent the last several years developing the government curriculum in her department to reflect both law-related education and authentic assessment elements. Today, students at Naperville North have opportunities to experience these as they enroll in American Government, Street Law, State and Local Government, and a new enriched government course called Special Topics: The Supreme Court (1954-1994).

Each of the teachers involved with these curricula has had opportunities to develop authentic, law-related activities as well as to develop assessment tools that reflect this authenticity.

Street Law:

- Mock Trials
- Discussions
- Role Plays
- Debates

State and Local Government:

- City Council Meetings (simulated)
- Mock State Legislative Sessions
- Writing a Bill
- Writing Letters to State Representatives
- Mock School Board Policy Meeting

American Government:

- Mock Constitutional Convention
- Moot Court Exercises
- Mock Senate Committee Meeting
- Reelection campaign planning for Senate candidates

Special Topics: The Supreme Court (1954-1994):

- Role Playing Exercises
- Moot Court Exercises
- Writing Legal Briefs
- Writing Judicial Opinions

© SSEC

As students move through this sequence of governmental courses, they find themselves developing critical thinking skills by being asked to process information and then analyze what it means so that they can eventually show that they understand it by applying what they have learned in independent situations such as moot courts, mock trials, and discussions. The school mission for Naperville North High School is to graduate students who think critically, solve problems, make decisions, and have the skills necessary for productive citizenship and life-long learning. The infusion of law-related, authentic activities is clearly moving the Social Studies department at Naperville North in a direction that will allow it to successfully accomplish its mission.

Wendy Ewbank

Wendy Ewbank teaches social studies to seventh- and eighth-grade students at Madrona School, a nongraded, multi-age K-8 school in the Edmonds School District, just north of Seattle, Washington. The philosophy of the school is quite compatible with authentic assessment. Textbooks serve only as resources in most classrooms, a constructivist approach is the norm, and teachers are encouraged to address multiple intelligences and learning styles. There is administrative and parent support for every middle school student to fulfill a yearlong service learning commitment.

As a former video producer, Wendy feels most comfortable asking students to create products that have usefulness and relevance beyond the classroom. The curriculum emphasizes contemporary history and global awareness. Performance assessments have included scored discussions, town meetings, debates, multimedia computer programs, video documentaries, press releases, political cartoons, mock trials, and congressional hearings. Simulations are frequently used to enable students to experience historic events and current world problems firsthand. A high priority is placed on perspective taking.

The 1995-96 school year included the following performance tasks.

- A journal reflecting 30 years in the life of an immigrant to the United States (1916-1946).
- Town meetings in which students portrayed a variety of roles addressing school uniforms, the abortion controversy, FDR's New Deal, immigration policy today, and freedom of speech on the Internet.
- A debate on whether juveniles should be tried and sentenced as adults for heinous crimes.
- Preparation of background speeches and resolutions for a Model United Nations summit, in which each student assumes the role of an ambassador from a chosen country.
- A mock trial on the *Tinker v. Ves Moines* case.

- A reflection piece in which students demonstrate how they met stated learning objectives in their service projects.

Jackie Johnson

Jackie Johnson teaches in the Cherry Creek school district in suburban Denver, Colorado. This district has offered teachers a great deal of support for developing and integrating more authentic assessment into instruction. As part of staff development, teachers have been asked to submit an authentic instructional activity and performance assessment for peer review within and across departments. This expectation, coupled with workshops with nationally-recognized experts such as Grant Wiggins, has given Jackie and other Cherry Creek teachers a context for trying performance assessment. Jackie teaches eighth-grade American Studies at Campus Middle School, with a focus on citizenship and law. Jackie places a great deal of emphasis on helping students learn about the U.S. Constitution and the Bill of Rights in both a historical and contemporary context. Jackie's course of study:

First Semester:

We the People materials provide the skeleton for a semester of study that culminates in a mock congressional hearing. Simulations, literature, analysis of documents, and writing exercises are key instructional activities. Emphasis is placed on the influence of the founding documents on daily lives, the democratic values and principles on which the Constitution is based, and exploring the rights and responsibilities of citizenship.

Second Semester:

Students deepen their understanding of the Constitution through participation in a series of mini-units on current affairs and the role of the U.S. in the world. Last year, second semester units included civil rights, First Amendment, judicial processes, foreign policy, and service learning.

The following highlights from an end of-the-year letter to parents provide a feel for the value that Jackie places on performance and authenticity.

During this year students have successfully demonstrated citizenship knowledge and skills by...

- *Presenting testimony to the community (legislators, school board members, parents, professors and high school teachers) through the* We the People *simulated congressional hearing.*
- *Reenacting a controversial First Amendment Supreme Court case on flag burning performed as a moot court before nine peers dressed in black robes and the "press." Arguments,*

decisions and cartoons from this exercise appeared in the CMS Literary Magazine.

- *Performing* Vickers v. Hearst *in the moot courtroom, with coaching from University of Denver law students, and having a law professor tell them that many performances equaled that of law students.*
- *Preparing detailed briefings on the nation's foreign policies toward Haiti, China, North Korea, Somalia, Bosnia, and South Africa as part of the* Beneath the Iceberg *presentation.*
- *Designed posters featuring significant "Turning Points of Equality" for display in the commons art gallery.*
- *Contributing time and sweat to a range of community agencies following research on a societal problem. "My Turn" essays in the* Newsweek *format provided opportunity for reflection.*

Ginny Jones

Ginny Jones teaches at Skyline High School in Longmont, Colorado, a rapidly growing city of 50,000 north of the Denver-Metro area. Ginny, who has taught a wide variety of social studies courses, is currently teaching Street Law, geography, and U.S. history. Her classes include many students with low motivation and a history of low achievement. Ginny emphasizes high levels of involvement and tries to develop a sense of responsibility for their own learning among her students.

An expert in technology's uses in education, Ginny also incorporates the use of computers into her classes. For example, students present the results of research through the creation of hypercard stacks rather than through traditional research papers.

As the former social studies consultant for the state of Colorado, Ginny has conducted teacher-training activities on a wide range of topics related to social studies education. She also served as the executive secretary for the Colorado Council for the Social Studies.

Gary Kroesch

Gary Kroesch is proud to say that he is a teacher and continues to grow and share his knowledge and experiences by serving as a mentor teacher in the Poway Unified School District in San Diego, where he teaches at Black Mountain Middle School.

Gary's professional experiences have provided him opportunities to learn and explore new frontiers in history/social sciences. His areas of research interest include the Han Dynasty, the Black Death, Salem 1692, and social movements in America. Over the years, he has stockpiled a rich library of resources. Through his affiliation with the University of California-San Diego, he has connected with teachers across the grades, across the county.

Gary's classroom program invites interaction between student and content. Collaboration is common on many assignments, projects, and performances. Students understand and use explicit standards for judging the quality of their work and others' work. Students take responsibility for demonstrating what they know and can do. Gary looks at growth and development over time. Students take pride in their work and include self-evaluation and reflection for each project or performance.

Gary has been a member of the CLAS development team and has presented on alternative assessment, particularly portfolio assessment, at national and state conferences.

Dan May

Dan May is the social studies department chair at O'Fallon High School in O'Fallon, Illinois. For the past 25 years, he has been teaching and coaching at O'Fallon, which is part of the metropolitan St. Louis area. He is a frequent presenter at state LRE conferences and is a teacher trainer for the Constitutional Rights Foundation of Chicago and the National Institute for Citizen Education in the Law. His current teaching assignment involves Citizenship, a freshman-level government course, and Government taught at the 12th grade. He has taught a summer school class called the American Legal System, which he plans to develop into a course offering during the regular school year. He has also taught Social Issues, Area Studies, and a remedial U.S. history course.

Dan's classes emphasize developing critical thinking skills and active participation in learning. Among the active strategies he uses are computer simulations, moot courts, simulated school board meetings, debates, and mock trials. The popularity of the classroom mock trials has stimulated the development of a Mock Trial Club, with more than 100 members involved in this extracurricular activity. Dan also serves as the coach of the state competition Mock Trial Team.

Dan's participation in the SSEC project coincided with efforts in the state of Illinois to implement authentic assessment as part of a statewide quality review program. He has benefitted a great deal from the feedback he's received from other teachers who review the assessments developed for his classes.

Sally McElroy

Sally McElroy teaches social studies at Frederick Middle/Senior High School. Located in a rural community 25 miles north of Denver, the school enrolls approximately 525 students in grades 7-12.

© SSEC

U.S. history, which Sally teaches, and American literature/composition are coordinated. Students meet with each teacher for a 90-minute block each day for one semester. Because the small size of the school dictates the schedule, the history and literature teachers aren't able to teach the students together, although the same students are in both classes.

The units of study in the coordinated course, along with the assessment for each unit, are listed below:

- Huck Finn and the First Amendment; debate.
- Civil War; research paper.
- Immigration; simulated congressional hearing.
- Turn of the Century; essay.
- 20s and 30s; scored discussion.
- The 50s and the American Dream (Civil Rights); essay.
- Vietnam and Foreign Policy; hypercard project.

Ken Miller

Teaching has become a second profession for Ken Miller, following nine years of a social work career. He joined Walled Lake Central's social studies staff, jumping right in with both feet. Currently, he serves on a district K-12 curriculum committee, planning the coordinated instruction of social studies to meet Michigan's MEAP and proficiency tests slated for 1999. Ken also serves as a Walled Lake representative on a state task force called PASS, which stands for Powerful and Authentic Social Studies, under the tutelage of Dr. Davis Harris. Within his building, Ken is currently developing a core curriculum teacher team, which will lead an "academy" of incoming freshmen through the difficult transition of ninth grade. This school within a school concept will allow Ken greater opportunity to integrate with other disciplines and to restructure class periods, as well as class sizes. The academy will include math, science, and English teachers with a Special Services team teacher to round out the group.

Ken teaches U.S. history and world geography, but his first love is Michigan history, a truly integrated social studies course, covering geography, geology, economics, cultures, as well as history. As a Roger Taylor disciple, Ken strives for an amusing interactive flair to his course, which includes the following units:

I. Ice, Wind, and Fire: The Shape of Things to Come
The geological transformation of our uniquely geographical place.

II. We Are *ALL* Immigrants
A story about the multicultural fabric woven into our state.

© SSEC

III. Michigan Marches to War
From the French-Indian War to the Gulf War, Michigan has played a vital role as spoils, battlefield, Underground Railroad, and source of volunteers and laborers for the Arsenal of Democracy.

IV. Furtraps, Flapjacks, and Rattletraps: Placing All Our Eggs in One Basket
An interactive look at Michigan's changing principal economy from furs to cars.

Much of Ken's educational philosophy includes a multimedia, interactive integrated approach. Assessment of his students involves a combination of selected responses, written responses, verbal communication, and performance. In his class, you may find yourself sitting in a canoe singing French songs in the round or arguing the merits of the Finnish double dove-tail cabin corner. You may find yourself writing about Michigan's period under a mile of ice or standing in line for one of Henry Ford's $5.00 a day factory jobs. Or you may find yourself debating automobile tariffs and their effect on local business, *but* you will not find yourself with nothing to do.

Ivory Moore

Ivory Moore teaches at Columbine High School, a Jefferson County (Colorado) Public School. Columbine is geographically located in the southern quadrant of the school district, which is the largest school district in the state of Colorado. More than 85,000 students attend schools in Jefferson County. Ivory teaches American government/civics and American history.

Professionally, Ivory has participated in the State Conference for Law-Related Education in Colorado and the First Amendment Congress in Washington, D.C. Ivory has recently worked on the State Task Force to write content standards for civics in the state of Colorado. Presently, Ivory is working with a Jefferson County Civics writing team for their content standards. Two years ago, Ivory began experimenting with authentic assessment rubrics with mock trials, moot courts, and other alternative ways of assessing students. Ivory believes that understanding and implementing authentic assessment techniques has improved instruction, resulting in improved student products.

Theresa Murray

Theresa Murray teaches language arts, literature, and social studies to eighth-graders in Portland, Oregon. Beaumont Middle School, where Theresa works, is in northeast Portland and serves a population that is one-third minority students. During the school day, Theresa has the same group of mixed-ability students for a 132-minute block of time.

© SSEC

The district social studies curriculum guides eighth grade to explore American history from the 1700s to the Civil War; Oregon history is also covered. Most of Theresa's class work integrates the three disciplines for which Theresa is responsible. For example, she organizes various literature studies around periods of American history.

Mock trials are used as part of Theresa's Constitution unit of study and then throughout the rest of the curriculum whenever possible. All classes tour the Multnomah County courthouse as a part of their Constitution study.

Other performances assessed throughout the year include:

- Revolutionary War illustrated timeline.
- Big Book version of the Bill of Rights.
- Civil War newspaper complete with political cartoon, editorials, letters to the editor, and news accounts of battles.
- "In Character" Tea Party as an Oregon pioneer.

Lisa Partridge

Lisa Partridge is the humanities division chair and a social studies teacher at David Douglas High School in Portland, Oregon. The high school has an enrollment of 1800 students in grades 9-12. Lisa currently teaches American Perspectives, which is an integrated team-taught class that includes 11th-grade U.S. history and English. She also teaches U.S. government to seniors. Students in Lisa's classes participate in a wide variety of LRE activities including mock trials, moot courts, and simulated legislative hearings.

Jack Rousso

Jack Rousso is an American Government/Law and Society teacher at Roosevelt High School in Seattle, Washington. Roosevelt is Seattle's largest high school with a population of 1600. Jack has taught at Roosevelt for ten years. He is considered a senior teacher—not because of his age but because he teaches seniors. Jack is the advisor to the Backgammon Club, Junior Statemen of America, and Knowledge Bowl. He is also involved in curriculum development through the McDonnell Project at the University of Washington. He also is the announcer at Roosevelt's varsity basketball games. In his spare time, he raises three children, ages 14, 13, and 11.

Jack uses law-related education extensively in his classroom. He also uses popular music and films in his classroom. He has done extensive work in film studies and the integration of film in the history and political science classroom. His Law and Society class focuses, in part,

© SSEC

on films and music and their relationship to historical and political determinants.

Katie Schultz

Katie Schultz has taught grades K-9 for 13 years in the Bethel Public Schools. Currently, Katie teaches at Frontier Junior High in Graham, Washington. Her responsibilities include:

- Honors humanities (gifted education grades 7-9).
- Ninth-grade communication arts.
- Teens, Crime and the Community.
- Journalism.
- Yearbook.

Katie has piloted law-related education in her honors humanities classes since 1993. In 1994, she began serving as one of three teachers to pilot authentic assessment instruments in law-related classrooms in Washington. These assessments include mock trials, moot courts, scored discussions, and scoring student writing. Katie continues to pursue new law-related topics dealing with junvenile justice. In 1995, she began teaching Teens, Crime and the Community as an elective course. Katie had two students selected to serve as 1996 Teens, Crime and the Community Youth Ambassadors.

Katie has worked with teachers in linking authentic assessment and writing. She continues to help teachers make a connection between authentic assessment and instruction through teacher workshops and summer institutes.

Amy Swenson

While participating in the SSEC project, Amy Swenson taught U.S. history and world history at Mundelein High School in Mundelein, Illinois. She currently teaches at Fridley High School in Fridley, Minnesota. In her courses, Amy stresses the importance of life-long learning and provides students with many opportunities to make connections between what they are doing in the classroom and what is happening in the world outside of class. Amy uses her subject matter as the vehicle to teach students the skills they will need in order to be successful in the future—the ability to think critically, to solve problems, to celebrate diversity, and to become actively involved as citizens of the United States.

Amy spent two years conducting teacher action research through a graduate program at National Louis University, Evanston, Illinois. For her research, she gathered data to determine if involving students in the process of defining quality and creating rubrics helps them to become

© SSEC

more active participants in their own learning. She believes that it is very important to bring students into the process because learning is not something that should be done to kids, but something in which kids are involved.

In 1994, Amy was part of a team that was awarded a $10,000 grant from the state of Illinois to write curriculum for a course that would combine elements of govenrment, sociology, and service learning. The course outcomes include:

- Understanding the institutions of government in order to demonstrate how public policy is formulated.
- Understanding the relationships that exist in society and how people influence each other's behaviors.
- Fostering within themselves and among their peers, attitudes regarding the value of life-long service for the common good.

As a result of participating in this class, students will develop the social, political, and analytical skills necessary to effectively participate in the policy-making process at any level of political and community life.

Service learning is different from community service in that it makes students think about why they are performing a particular service and what they are learning from their service experiences. The emphasis is on the study of public policy and the role of policy in finding solutions to public problems. Because their service is problem-based, students will become active participants in democracy by addressing the needs of the community in which they live.

Students also examine the impact that the individual has on society as well as the impact society has on the individual in order to better understand this interdependent relationship. Ultimately, a better understanding of this relationship will empower students to do something about the problems in their community and foster a realization that, as members of a community, they have a responsiblity to bring about positive change.

A healthy democracy requires an informed and active electorate. Students will explore the basic principles of democracy in order to promote greater civic involvement. Participation in the electoral process both as a voter and a campaign-issue staff member is one of the most fundamental ways in which a citizen can impact the development of policy. Yet less than half of those eligible to vote in the United States actually turn out to cast votes. Knowledge of the electoral system is vital if students are to become and remain involved in a system that was created so that citizens can effect positive change.

The study of public policy is also vital to citizen involvement. If citizens are to understand how they can change their nation and communities, they must understand public policy—government's attempts to solve social problems or achieve societal goals. If efforts to effect

© SSEC

change are to be successful, a familiarity with policy-making institutions, local, state and federal, is similarly necessary.

Roger Westman

Roger Westman is social studies department chair and teacher at Wilson High School in Tacoma, Washington, where he teaches You and the Law/Civics and World Problems. Roger's approach to student learning experiences involves two distinct areas: (1) the acquiring of basic foundational knowledge, and (2) the application of this knowledge in personal decision making. He attempts to integrate and connect new knowledge to prior understandings through challenging classroom activities. Through LRE activities, he seeks to help students achieve a higher order of critical thinking.

Students must be able to substantiate and defend their positions on a variety of issues in order to be the intelligent electorate of the future. To this end, seniors at Wilson are exposed to two sequenced classes: World Problems and Civics. The You and the Law/Civics course is an alternative to the traditional civics or American government course. The course emphasizes the following major units:

- Unit I: Basic Concepts of a Democracy and the Principles of the Constitution
- Unit II: Personal Rights, Freedoms, and Liberties
- Unit III:The Law-Making Process
- Unit IV: The Enforcement of the Law
- Unit V: The Resolution of Conflict

The units covered in the World Problems course are:

- Unit II: Environmental Issues
- Unit I: Overpopulation
- Unit III: Illegal Immigration
- Unit IV: Terrorism
- Unit V: Economic Challenges

Demonstration of critical thinking skills is accomplished through simulations and "position taking" activities (e.g., opinion polls, posters, scored discussion, debates). Rubrics are used to evaluate the level of "demonstrated understanding."

One of the challenges Roger has identified is that students have not been taught in the lower grades to be accountable for their opinions and positions on issues. Impulsive, emotional reactions seem to be the driving force for action, rather than intelligent analysis, evaluation, use of factual data or experiences. While teaching 12th-graders to use these

© SSEC

strategies can produce frustration for both teacher and students, the end result makes the effort worthwhile.

Kent Willmann

The 1993-94 school year was the pilot year for an integrated U.S. history and American literature/composition class called American Studies at Longmont High School in Longmont, Colorado. Kent Willmann, a social studies teacher, and Dorotha Ekx, an English teacher, worked together to implement this semester-long class, which ran through two 90-minute blocks per day, with a 20-minute break between blocks. The class was taught in two rooms connected by a door but lacking a removable wall.

Longmont is a suburban, semi-agricultural middle class community, with 90 percent Anglo residents. The class consisted of 60 heterogeneously mixed juniors, primarily middle to low-achievers (many high-achievers take A.P. history instead). The class also included seven educationally handicapped students, one of whom was taking her first mainstreamed academic course, and two exchange students with language difficulties.

Because of district emphases, students are accustomed to classes that focus on:

- The student as a worker and active learner.
- Conceptual learning, higher level thinking skills, and application of learning.

Kent and Dortha were assisted in the class by a special education teacher who was in the room for one 90-minute block each day and a student intern who was in the room two or three days per week. Having this additional assistance allowed Kent and Dortha to individualize instruction for many students. In facts, students often requested feedback and coaching from the teacher they thought could best meet their needs. The special ed teacher felt that the integration of not only the special ed students but also the teacher removed much of the stigma that is felt by these individuals.

As described in Chapter 7, each unit in the class is organized around an assessment, usually a product or performance, that enables students to display what they have learned. The unit is introduced, along with the assessment and rubric; students then gather and process information and prepare and revise their assessment products.

Among the assessment products students create are:

- Contrasting perspective journal entries on Native Americans and European settlers.
- Cartoons related to "Manifest Destiny."

- Essays on McCarthyism and *The Crucible.*
- Illustrated timelines related to civil rights.
- A debate on *Huck Finn* and the First Amendment.
- Letters to public officials on current policy issues.

The final for the course is a letter to the principal, reflecting on what was learned in the course and explaining why the student should be allowed to earn credit in the course.

Carol Works

Carol Works is a social studies teacher at McNary High School in Salem, Oregon. She teaches U.S. government and U.S. history. She teaches 10th- to 12th-grade students using a wide variety of performance tasks, including moot court, mock trial, debate, public deliberation, Socratic method, simulated legislative hearings, legal writing, position papers, posters, surveys, and letters. Working with SSEC, she has become much more effective assessing these performances using the assessment tools in the book *Preparing Citizens*. She is especially excited about her work with assessments prepared and scored by her students.

In addition to teaching, Carol is also the 5th Congressional District Coordinator for "We the People, The Citizen and the Constitution." She teaches methods for graduate students at Willamette University and is a member of the McNary High School 21st Century Council Leadership team. She advises and coaches Close Up Club and a Youth Legislative team. She assists in coaching the McNary High School mock trial team.

John Zola

John Zola teaches social studies at New Vista High School in Boulder, Colorado. New Vista is a "break the mold" public high school that has been attempting to reform high school education since 1993 using findings from the past 25 years of educational research. John teaches a variety of civics-related classes including Socratic seminars based on the original texts of Supreme Court decisions and the "founding documents" of democracy, Kid's Rights, and How A Bill Really Becomes a Law. Writing, large-scale projects, and discussion are integral to each of these classes and form the basis of all assessment tasks. The nontraditional nature of New Vista, including a block schedule and quarter-length courses, allows for a great deal of flexibility and innnovation when it comes to course design and implementation.

© SSEC